A PERFECT AND EXACT DIRECTION TO ALL

those that desire to know the true and just Fees of these Courts following,

viz.

The Fees of all the Offices belonging to the Court of Common Pleas.

A Table of the *Prothonotaries* Fees.

The Fees of the Chancery, according to the Table in the Office.

The Ordinance of the Chancery, by *Th.* Lord *Coventry* late Lord Keeper of the great Seale of England.

LONDON,
Printed by *R.H.* for *N. Vavasour*, and are to be sold at his Shop in the inner Temple. 1641.

A Table of the Offices.

Judges

The Table.

TERMINO HILLARII,

Vicesimo primo Iacobi Regis.

1623.

ACcording to your honours direction, having (since the time of your Lordships pleasure made knowne unto us) received from your Lordships, divers Bills, and Notes of the Fees claimed by severall Officers in the right of their Offices, in his highnesse Coure of Common pleas at Westminster, and thereby, and by Oath to bee administred unto us, concerning your honours pleasures and intendments to be performed, whether all the Fees and Summes of money set downe and claimed respectively in the said Bills and Notes, have been paid since the thirtieth yeare of the late Queene *Elizabeth*, or which, or how many thereof, or what other have been advanced, encreased, or taken since the said thirtieth yeare, in the said Offices, in the said Court of Common Pleas.

Upon perusall of the said Bills and Notes, and consideration of the Fees now claimed, and

taken upon our ſeverall knowledges, and upon credible report, we finde ſome for to be advanced, encreaſed, raiſed, and taken ſince the ſaid thirtieth yeare. And therefore in all humbleneſſe, We have briefly ſet downe under the title of every Office, ſuch as we at this preſent reſpectively know to have been ſo advanced, encreaſed, raiſed, and taken with ſome grounds and reaſons of the advancing, encreaſing, raiſing, and taking thereof, delivered by them, to their ſeverall Notes of Fees annexed.

In the Office of Cuſtos Brevium.

THere is, and hath been taken by the Clarks there, more than heretofore was taken and claimed by them upon Fines, upon the retourne of Writs of Covenant under colour of Deputations from the Sheriffes, and now is claimed by them for keeping the parts of the Fine. xii. d.

Alſo for filing every Writ after two Termes, for every Terme after, xx. d. Whereas the ſaid Fee of xx.d. was accepted for filing of any Writ at any time within the yeare.

Alſo there is taken by the ſaid Clarkes, for filing of all Writs of Entrie, Summons, and Seiſin upon common Recoveries, xii. d. whereas formerly iiii. d. was taken as their Maſters Fee for a *poſt diem*.

In the Prothonotaries Office.

THere hath beene taken for the most part of seven yeares past, upon every judgement in personall, and mixt Actions, over and above the ii.s. in the Bill of their Fees mentioned, and more than was formerly paid, xii.d. being for assessing of Costs for the Judges as is affirmed.

Also there hath been taken by the space of foure yeares last past, or thereabouts, xviii. d. upon every Writ of Entrie, Summons, and Seisin upon common Recoveries, which was not formerly paid.

There hath been also taken by the space of twelve or fourteene yeares last past, by them iiii. s. upon the reversall of every Outlawrie, not formerly taken.

They have also received and taken for divers yeares last past, the summe of ix.s. iiii. d. upon every prohibition granted in Court, but whether the same bee a due, and ancient Fee, we doe not certainly know: All which Fees so taken (as we conceive) are upon the reasons expressed in a Note, which we have annexed to their Bill of

The Secondaries *of the said Prothonotaries.*

THere hath been taken by the space of ten yeares last past, or thereabouts, xii. d. upon every common Recovery drawne at the Bar, more than formerly hath been taken, which the Secondaries affirme to have beene taken in respect the Demaundants in such Recoveries have not appeared at the Bar in person.

Clarke of the Warrants *Office.*

THere is taken upon every Fine more than formerly iiii. d. for a Warrant of Attourney, and charged out of the Attournies Fee by order of the Judges made 14. *Iac. Reg.* certified by this Officer to his Lordship.

There was also taken by the Deputy of this Officer for the space of three or foure yeares, and untill within one yeare last past, upon every Fine xviii.d. which was not formerly paid to that Officer, being so taken (as is pretended) for the retourne of the Writ of Covenant,

Covenant, and hath ſince been taken by Maſter *Thomas Jackman*, Clarke of the Inrollments of Fines and Recoveries, upon the reaſons annexed to the Bill of Fees of the Clarke of the Warrants.

In the Phillizers.

THere is taken iiii. d. upon every Cap. and viii. d. upon every appearance of the Defendant, more then was taken before 14. *Jac. Reg.* which is taken by vertue of an Order made upon the reaſons expreſſed in the ſame Order to their Bill of Fees annexed.

In the Exigenters *Office.*

THere hath been taken ever ſince 31. *Eliz.* upon every Exigent more than was formerly taken i.d. which was ſo taken in reſpect of the length of the Proclamation.

And there hath beene alſo taken by the ſpace of three yeares paſt, i.d. more upon every Exigent, upon ſuch reaſons as are offered to your Lordſhips conſiderations, in their Certificate of Fees.

In the Chirographers *Office.*

THere is taken by the Clarkes of the ſaid Office for writing the Chirograph of every Fine ii.s.vi. d. which ſince 30. *Eliz.* was but xvi. d. which ſumme of ii.s. vi. d. upon reaſons ſhewed to divers ancient Attournies by the Clarkes of the ſaid Office about ſeventeene yeares ſince, was aſſented unto by the ſaid Attournies, bee the Fine long, or ſhort.

In the Office of the Kings ſilver.

THere is encreaſed, and taken by the ſpace of thirteene yeares laſt paſt, or thereabouts iiii. d. upon every Fine by Order made in 8. *Iac. Reg.* annexed to their Bill of Fees.

Alſo there hath been taken and encreaſed iiii.d. lately, within five yeares ſince the time laſt above mentioned for every ſeverall Cap. of a Fine, having more Cap. than one, which was nor formerly taken.

Alſo for the time of thirteene yeares laſt paſt, there hath been taken for every

ry Fine by ſpeciall Commiſſion, iiii.d. which is an encreaſed Fee.

Alſo there hath beene taken ſince 8. *Iac.Reg* vi.d. for every Fine brought into the Office after the end of every Terme, not formerly taken.

Alſo there hath been taken the ſumm of viii. d. upon every Fine in the Weſterne Circuits, more than upon Fines in other Counties, which grew to bee taken about 34. *Eliz.* by colour of deputations from the Sheriffes of the Weſterne Circuits upon the reaſons annexed to his Bill of Fees, moſt of which ſaid Fees were raiſed, and encreaſed in the time when Rich.*Chambers*, Was that Officer.

In the Office of the Clarke *of the* Treaſury.

THere is of late taken iiii.s. for the ſearch of every Terme after ten yeares, the olde and ancient Fee being but iii.s. iiii.d.

There is claimed iii.s. for turning the key of the Treaſury after the Terme, whereas there is but xii.d. due.

Alſo there is claimed by his ſaid Bill iiii.d. for ſearch of a Record under ten yeares untill three yeares, no ſuch Fee being due.

The Cryers *of the Court.*

THere is taken by them ii. s. the Fee being but xii. d. for calling every Jury at the Bar, when they fill not.

Alſo they take xvi.s. for keeping every Jury during the ſitting of the Court, and xxx.s. for keeping them all night, The ancient Fee for the firſt (as wee underſtand) being but iiii. s. and the other viii.s. and no more.

Alſo there is taken by them for ſwearing an Attourney in Court ii. s. more than their ancient Fee, (being iiii. s.) as we are credibly informed.

Alſo they take upon every Baile taken in Court xii.d. there being no Fee due, that we know, or have heard of.

Alſo they take iiii.s. upon every *Niſi prius* before my Lord chiefe Juſtice of the common Pleas at Weſtminſter, there being no ſuch Fee due to our knowledge.

Alſo they demand iiii. s. iiii.d. upon every Wager in Law, there being but ii.s. due, as we have heard.

In the Office of the Keeper *of the* Treasury.

THere is claimed in his Bill for a Search after three yeares, unrill ten yeares iiii. d. there being no such Fee due.

Also for a Roll carried into the Court, vi. d. there being no such Fee to our knowledge, other than for carrying a Roll of the precedent Terme.

Also for every Jury at the Barre ii.s. vi.d. there being only xii. d. due, and formerly paid, as we have heard.

Also for every *Nisi prius* tryed in Middlesex ii. s. vi. d. there being but xii.d. due.

Also for a copy of a Precipe xviii. d. there being none ever heard of.

Also for the acknowledging of a Fine iiii.d. there being nothing due.

Also for the key xviii.d. xii.d. being due, and no more.

In the Office of Inrolling, *and* Exemplifying *of Fines and Recoveries.*

THe Fees challenged by this Officer (as we conceive) doe differ from the Fees limited by the Sta. 23. *Eliz.* unto which Stat. we refer our selves.

A review of our former Certificate, with an addition thereto, and an answer to the Articles lately delivered unto us by your Lordships.

The Chirographer.

THere is taken by the Clarke of the said Office, for writing of the Chirograph of every Fine, ii.s. vi.d. for which since 30. *Eliz.* was only paid xii.d. but about *Anno* 4. *Iac. Reg.* they did procure the consent of divers ancient Attournies in writing under their hands, for the increase thereof, to make the xii.d. ii.s.vi.d. be the Chirograph

graph long or ſhort, upon promiſe never to demand any more, yet ſince they exact, and take more according to the length.

The Court-keeper.

WHereas this Officer requireth ix.s. vi.d. for a Wager of Law, his due being only xxii.d. the reſt is to be divided amongſt the Cryers, Wagermen, and other Officers.

The Cryers.

WHereas it hath been formerly certified that ii.s. is due to theſe Officers for a Wager of Law, upon better conſideration wee finde iiji.s. is due unto them out of the ix.s. vi.d.

The

The Porter.

HEE taketh ii. s. vi. d. for every triall at the Barre, his Fee being but xii. d. and for a *Nisi prius* xii.d. his due being but vi.d.

The Associats *of the* Nisi prius *at* Guildhall.

THis Officer taketh xii. d. for retourne of the Plaintifes *Postea*, and ii.s. for retourne of the Defendants *Postea*, and for the Defendants Verdict ii. s. which are new encreased Fees since 30. *Eliz.*

The Clarke *of the Errors.*

THis Officer taketh for a *Supersid. de non molestando* iii.s.there being but ii.s. anciently due, and ii. s. for making the Record.

He taketh also ii.s. iiii.d. for a *Nonsuite* in a Writ of Error;being not due, nor paid since 30. *Eliz.*

An

An answer to the last Articles.

THE Prothonotaries take by the Sheete, and not by the Roll, all the time of our remembrance, every sheete containing twelve lines, and every line ten words, according as they have certified in their note of Fees.

They take for the certifying the first cause vi.s. and for every other cause ii.s. and so have anciently done.

The chiefe Justice his Fee for allowance of a Writ of Error was but xvii.s. vi. d. being upon meane Proces and single judgement, and if it exceed to Ex. *post*. Cap. and *Scire fac*. xxxv. s. and for the *Supersid*. ii.s. and no more, and now is taken for allowance upon meane Proces xx.s. and for a *Supersid*. iiii. s.

The ancient Fee of a Cap. *Vtlegat*. speciall, is ii. s, iiii. d. and a generall Writ x.d. if more be taken, it is to the writer of the Writ for expedition given by the Attourney as a gratuity.

We doe not know of any Fees taken by Bills of Parcels, and at Eriam, more than hath been formerly taken *Anno* 30. *Eliz*.

The

The Judges take only iiii.s. for signing of a Writ of priviledge, which Fee is, and hath been ancient for any thing we know, and the like for signing of a *Procedendo.*

The ancient Fee for reversing of an Outlawry in a Judges Chamber wee know not, but there hath been taken for the Judge ix.s. viii. d, and xii. d. to his man, and being reversed in Court, iiii.s. as is formerly certified.

There is now paid to the Judges horsekeeper for triall of every cause at Guildhall xii.d. and upon triall at the Barre ii. s. to each of the Judges footcloath-keeper, and in many Circuits upon every triall, for keeping the Juries ii.s. for every Jury, there being only due xii. d. which was formerly allowed and paid to the Sheriffes Bailiffes for keeping of the Juries.

Also there hath been taken in some Circuits upon triall of every *Nisi prius*, wherein a private verdict hath beene given (as Fees for the same verdict) to the Judges Marshall for all manner of Fees to all Officers xv. s. viii.d. but now of late the Judges servants and officers in some Circuits doe demand, and take x.s. more, not anciently taken.

The ancient Fee in a Prohibition, was ix. s. iiii. d. for every witnesse produced to prove a suggestion out of Court,

Court, and in Court, iiii. s.

It is answered in the former Certificate, the ancient Fee for swearing an Attourney in Court, was ii.s. to the Boxe, and now xx.s. is taken.

Every Attourney paies Tearmely, or ought to pay iiii.d. to the Clarke of the Warrants, who is appointed to pay the same to the Judges, and is by them distributed to the poore, as is affirmed.

There hath been, and is taken for the Boxe upon every satisfaction for a Judgement being under 100.li. vi. d. if 100.l. xii.d. and for every 100. li. so rateably, and the like for a confession, and vi. d. upon a Baile, and every common Recovery.

Subscribed thus:

Hen: Plombe.
Sy: Wiseman.
Anth: Langston.
Geo: Needler.
Will: Brag.
Ioh: Nichols.
Geo: Cooe.
Will: Carefield.
Peter Bird.
Tho: Agar.

The

The Oath administred touching the Court of Common Pleas to the inquest of Attournies in Feb. 1627.

YOu shall well and truly according to your knowledge, give true information to his Majesties Commissioners for inquiry after exacted Fees, and innovated Offices, what Offices and places were usually held, kept, and executed in the tenth yeare of the raigne of the late Queene *Eliz.* or at any time since in the Court of Common Pleas.

You shall well and truly, according to your knowledge, give true information, what offices and places have been since the eleventh yeare of the said late Queene, invented, innovated, designed, ordained, or erected by Judges, Justices, or other chiefe Officers in the same Court, and not granted, or mentioned to be granted by Letters Patents under the great Seale of England.

And what Rewards, Fees, Summe, and Summes of money were in the said eleventh yeare of the said late Queene *Eliz.* or at any time since, usually,

usually, or accustomably taken, received, or had by the Judges, Councellors, Practisers, or Officers, or their Deputies, or other Ministers, Clarkes, Registers, or Attournies in the same Court.

And what Rewards, Fees, and Summes of money under colour, or by name of Fees, Rewards, Gratuities, Clarkes paines, *post Term. post diems*, Expedition, or the like, have since the said eleventh yeare of the said late Queene *Eliz.* been set, imposed, raised, advanced, encreased, incroached, or taken into the said Court, and of the particularities, grounds, or reasons thereof, with all other incidents, and circumstances touching the premisses.

And whether have you any Rolls, Warrants, Records, Orders, Tables, Bookes, Entries, or other Notes, or Writings in your custody, whereby the truth in the premisses may be the better found out, and discovered.

Or doe you know where any such Rolls, Warrants, Records, Tables, Orders, Bookes, Entries, or other Notes are, or have been, or with whom they now remaine, So help you God.

Ex officio per Edm. Wodax, Cler. Commiss.

The Custos Brevium *his Fees.*

These Fees following, are the Fees which are taken by Sir Thomas Spencer, Custos Brevium *of his Maiesties Court of Common Pleas, and his Clarkes in right of his said Office, and as they were taken* 11. Eliz. *by the then Master of the said Office, and his Clarkes.*

INprimis, for filing any Writ, or other Record, comming after the day of the retourne thereof, except Writs of priuiledge *de veneundo*, *& redeundo*, and also Writs of priviledge called *propr.* or *post diems.* iiii.d.

Item, For filing any Writ, or other Record (except before excepted) comming after the Terme wherein it was retournable, called a *post diem Term.* xx.d.

Item,

Item, For filing any Writ, or other Record comming after two Termes, called *post Termin.* for every Terme after xx.d. a piece, except Exigents, and Outlawries, which pay but only xx.d. a *post Termin.* be they never so long, after *quia pro Dom. Rege*, xx.d.

Item, For the search of any Writ, or other Record, being under five yeares, for every retourne v. d. except such Writs as where the whole Terme is used to be filed together, which pay only v.d. a Terme, out of which they allow to the Bag-bearer v. d.

Item, For the search of any Writ, or other Record of five yeares antiquity, and under ten yeares called a Temple search, for the first retourne ii.s. ix.d. and for every retourne after v. d. except such Writs, as where the whole Terme is used to be filed together, which pay likewise for the first Terme, ii.s.ix.d. and for every Terme after v.d. out of which Temple search there is allowed to the Clarke iiii.d. and to the Bag-bearer v.d. ii.s.ix.d.

Item, for the search of any Writ, or other Record of ten yeares antiquity and upwards, called a Westm. search for the first Terme ix. s. ix. d. and for every Terme after v. d. except such Writs as where the whole Terme is used to be filed together, which pay

only v.d. a Terme, out of which West. search there is allowed to the Clarkes ix.s. i.d. and to the Bag-bearer ix.s. ix. d.

Item, For the allowance of every Writ of *Certiorari*, directed to the *Custos Brevium*, xiiii.s. ix.d. whereof is allowed to the Clarke ii.s. viii.d. and for certifying thereof, *Secundum longitudinem*, and according to reason, xiiii.s. ix.d.

Item, For the allowance of every Exemplification made out of the Office of any Writ, or Writs, or other Record, v.s. iiii.d. and to the Clarke for writing and examining thereof *Secundum longitudinem*, and according to reason, v.s.iv.d

Item, For the carrying of any Writ, or other Record to the Court for a reversall, or any other occasion ii.s. ix.d. whereof allowed to the Clarkes iiii. d. and to the Bag-bearer, ii.s.ix.d

Item, For filing any common Recovery, Writ, *super disseisinam in le post*, xii.d. whereof allowed to the Clarkes, viii.d. for entring the same into a book for that purpose, xii.d.

Item, For entring a Fine with the *Custos Brevium*, by vertue of the Stat. 5. H. 4. *cap.* 14. in which Stat. that is called the accustomed old Fee, xxii.d.

Item, To the Clarke of the same Office (*ab antiquo*) who enters the same, ii.d.

Item,

Item, Upon the making of the Stat. 4. H. 7. *cap.* 24. the *Custos Brevium* was allowed by the Court for carrying, and recarrying of every Fine levied according to that Stat. Westmin. to the Chirographer to proclaime foure Termes, viii.d.

Item, For keeping three parts of the Record of every Fine consisting of five parts, iiii.d. a piece, xii.d.

In tot. for every Fine iii.s. viii.d. whereof the Master hath ii.s vi.d. and xiiii. d. is allowed to the Clarkes, iii.s. viii.d.

Item, For the amendment of every Writ, or other Record *per Warrant. Cur.* xx.d.

Item, For every *Non est factum* pleaded in Court, ii.s.

Item, For every Sheriffes bundle of Writs retournable of the precedent Terme, and comming before Essoine day of the second retourne of the new Terme. viii.d.

Tho: Spencer.

The usuall Fees allowed by the Custos Brevium *to the Clarkes of his Office.*

INprimis, For every Temple search, iiii.d.
Item, Out of every Westm. search, ii.s.i.d.
Item, To the Clarkes out of the allowance of every *certiorari* ii.s. viii.d. and for certifying the same, *secundum longitudinem*, and according to reason, ii. s.
Item, To the Clarke for writing and viii.d. examining of every Exemplification, *secundum longitudinem*.
Item, To the Clarke for any Writ, or other Record carried into the Court. iiii.d.
Item, For entring a common Recovery Writ *super disseisinam in le post*, viii.d.
Item, For every Fine passing in the Office, xiiii.d.
Item, For entring into a Booke every *Recipiatur* comming under a Judges hand, or by order of Court, xii.d.
Item, For every note of Jurors names for the Clarke of the Juries to make further Proces by, iiii.d.
Item, For every note of an Exigent for the Clarke of the Outlawries to make further Proces by, viii.d.

Item,

Item, For the ſearch of any Booke of Entries, of any Writs for every Terme, viii. d.

Item, For the copie of any Writ, or other Record for every Sheete. viii.d.

Geo: Venables.

Alex: Thurley.

The uſuall Fees allowed by the Cuſtos Brevium, ***to the Bag-bearer of the Office, being alwaies the common Vouchee of the Court.***

INprimis, For every ſearch under five yeares, i.d.

Item, For every Temple ſearch, v.d.

For every Weſtm. ſearch, xii.d.

For any Writ, or other Record carried into the Court, v.d.

For every common Recovery ſuffered in Court (being the common Vouchee) iiii.d. a piece, iiii.d.

For every Attorney ſworn in Court, vi.d.

The Prothonotaries *Fees.*

These Fees are due, and belonging to the three Prothonotaries ***of the common Pleas.***

I*Nprimis*, For entring every common Declaration, common Plea in Barre, wherein no Freehold is pleaded, common Replication, and common Rejoynder in actions personall, xii.d.

For entring of every speciall Declaration, speciall Plea in Barre, or abatement of Freehold, Replication, or Rejoynder, and Pleas subsequent in actions personall not exceeding three sheetes, every sheete containing twelve lines, and every line ten words at the least, ii.s.

And for every sheete exceeding, xii.d.

For every Declaration in actions upon the Case *Ejectione firme*, Annuity, Accompt, Covenant, Conspiracy, Deceipt, Partition, Pleg. *Acquietand.* Debt

Debt upon Stat. Plaint in Assize, and the like speciall actions, and in all reall, mixt and popular, if the Declaration or Plaint exceed not three sheets, ii.s.

And for every sheete exceeding, xii.d.

For the entrie of every Barre Replication, Rejoynder, and Pleas subsequent in every of the actions last above mentioned, and in the like actions not exceeding three sheetes, ii.s.

And for every sheete exceeding, xii.d.

For the entrie of every Obligation, Indenture, Record, retourne of Certificate, or the like entred *in hæc verba* not exceeding three sheetes, ii.s.

For every sheete more, xii.d.

For recording of every apparance by the Court, ii.s.iv.d

For the entrie of every Recognizance without condition, challenge to the Sheriffes, or Coroners, or to the Array, or other speciall averments, ii.s.

For the entrie of every Recognizance with the condition, iiii.s.

For every judgement in debt detinue, and trespasse without a *Tales*, ii.s.

For the entrie of every Adjournement, iiii.d.

For every judgement, with a *Tales* besides the Fee aboveaid, ii.s.

For every Remitter and judgement for Costs given to the Defendant by the Stat. besides the Fee aboveaid, ii.s.

For

For every judgement in all other actions, as well perſonall as mixt Prohibitions, and the like, iiii.s.

For every ſatisfaction *Recordatur*, Diſcontinuance, *Retraxit*, Relinquiſhment, *Nolle proſecuti*, or the like in perſonall actions, ii.s.

And in reall actions, iii.s.

For the entrie of a ſingle Recovery, and the Writ of ſeiſin thereupon, x.s.vi.d

For every Voucher more, iiii.s.

For the entrie of every *Mittimus*, or *Dedimus poteſtatem* for a common Recovery, vi.s.

For the entrie of a Summons at Bar for a common Recovery, and a Writ of Summons, *ad warrantizand.* iv.s.vi.d

For the entrie of a *Certiorari*, to certifie a Warrant of Attourney for the Tenant, or Vouchee, iiii.s.

And if for both, vi.s.

For every common Voucher ſent to the common Pleas to ſummon the Vouchee, if the Record be not above three ſheetes, ii.s.

And for every ſheete more, xii.d.

The like Fees are paid when the Record is to be remitted after the Voucher determined, ii.s.

For the entrie of every ſpeciall Verdict, whereupon a *Cur. adviſare vult* is entred, being not above three ſheets, ii.s.

For every ſheete more, xii.d.

For

For the entrie of every generall Verdict, with a *Cur. advisare vult*, without a *Tales*, ii.s.

And with a *Tales*, iiii.s.

For the entrie of every *Remittimus* of debt and damages, xii.d.

For the entrie of every Information upon a penall Law, not exceeding three sheetes, ii.s.

And for every sheete exceeding, xii.d.

For the entrie of every surmise for a Prohibition to be granted, not exceeding three sheetes, ii.s.

For every sheete more, xii.d.

For entring of every *Audita querela*, not exceeding three sheetes, ii.s.

For every sheete more, xii.d.

For the entrie of every Oath of every witnesse to prove the surmise in a Prohibition, or *Audita quer.* brought by an Infant, and the entrie of the proofes *de morte*, &c. *vita viri* in dower, and the like actions and suits, ii.s.

For releasing of any default in any reall action, ii.s.

For damages cleere in any action where damage is given, if the damage given amount unto five markes, or above ii.s. in the pound, ii.s.

If under five markes, o

For examining any Record of *Nisi prius*, xii.d.

For

For making the Record for triall of any issue in any of the Counties Palatine, for the first three sheetes, ii.s.

For every sheete more, iiii.d.

For the exemplification of every Record, not exceeding sixe sheetes, v.s.

For every sheete exceeding, xii.d.

For the entrie of Seisin in dower, and dying seised, if the retourne of the seisin exceed not three sheetes, iiii.s.

For every sheete exceeding, xii.d.

For entring the default upon trespasse in waste, *Quare impedit*, if the Count, or title doe not exceed three sheetes, vi.s.

For every sheete more, xii.d.

For the entrie of a *Quo warranto*, not exceeding three sheetes, ii.s.

For every sheete exceeding, xii.d.

For the entrie of every Plea thereupon according to the same rate, xii.d.

For the entrie of every Plea in contempt, pleaded before Auditors, if it be not above three sheetes, ii.s.

For every sheete more, xii.d.

For the entrie of every Summons, severances and aide *de prior*, ii.s.

For admission of an Infant to his Guardian, or *Procheine Amie*, ii.s.

And if by Commission, iiii.s.

For entring the Writs of *Exemp. de non. ponend. in Iurat. & Paten. de libertatibus allocandis & protectionibus*,

Cognizance

Cognizance of Pleas, and the like, according to the rates aforesaid, if it exceed not three sheetes, ii.s.

For every sheete exceeding, xii.d.

For the entrie of a Defendants discharge upon a *cap. pro fine*, or contempt, ii.s.

For the like upon a rescous retourned and admitted to his Fine, iiii.s.

For traversing the rescous and issue thereon, vi.s.

For entring of the allowance of every generall and speciall Pardon of Outlawrie before judgement, and after, v.s.iv.d

For entring of a *Dies dat.* in debt detinue, and trespasse, xii.d.

And in all other actions, ii.s.

For entring of a receipt of a Feme covert, Tenant in taile, Leaslee for yeares, or the like, ii.s.

For entring of a Plea, if it exceed not three sheetes, ii.s.

For every sheete exceeding, xii.d.

And if the receipt be by Writ, then more for entring the Writ, ii.s.

For the entring of an Assize delivered in Court of the common Pleas, by the Justices of the Assize, to be inrolled for every sheete, xii.d.

And if the Assize come into the Court by *Certiorari*, then more for entring the same, ii.s.

For

For entring of every Abridgement of the Demaund. in dower, waste, and the like, ii.s.

For the entrie of every *Pone* to remove a Plea by Writ out of the County Court there holden by Justices, and for retourne of the *Pone*, iiii.s.

For the entring of any Record sent into the Court by *Mittimus*, or otherwise, and for entring of every *Rege inconsulto*, or the like, if it exceed not three sheetes, ii.s.

For every sheete exceeding, xii.d.

For the entring of every *Certiorari* of Bastardy, certified by the Bishop, the awarding of the Writ, and judgement thereupon, vi.s.

For entrie of the Licence of the Court to purchase a new Writ by journies of accompt,

For entring of every Originall Writ delivered of Record in reall and mixt actions, ii.s.

Fees

Fees for Writs.

FOr every Writ of Prohibition, or Consultation, not exceeding foure sheetes, ii.s.

For every sheete exceeding, iiii.d.

For every Withernam, *Return. Habend.* after appearance, second deliverance, Writ of priviledge, *Habeas corpus*, *Procedendo*, *Certiorari*, Summons, and resummons *pet. cap. ven. fac. Scir. fac. Elegit*, *Extent. Superſid. Subpen.* Writ to the Bishop, Attachment, *Diſtring. Iur. Habeas corp. & diſtring. in Aſſ. & Attinct.* and the like, *haberi fac. ſeiſin. haberi fac. poſſ.* Writ of View, *Mittimus*, *Indempnitat. nominis*, and every other speciall Writ, ii.s.

For the entring of every such other Writ which requires an entring, not exceeding three sheetes, ii.s.

For every sheete more, xii.d.

For every *Teſtat. ſcir. fac. & Teſtat. fieri fac. diſtring. ad deliberand.* and Writs to inquire of damages of Trespasse, and Replevin, xii.d.

For Writs to enquire of damages in Covenant, Ejectment, Actions upon the Case, and the like, ii.s.

For every *Cap. pro fine*, vi.d.

For

For the Exigent of a *Cap. pro fine.* x.d.

For entring the retourne in every Writ in the Prothonotaries Roll, other then the retourne, *Non est invent.* and upon the *Scire fac. nulla hab. bona,* whereupon any further processe is awarded, not exceeding foure sheetes, ii.s.

For every sheete more, xii.d.

For the entring of every Writ of priviledge, or *Habeas corpus,* with the baile for one cause, vi.s.

For every cause more, ii.s.

For the entrie of every *Mittimus die & causa,* ii.s.

For every reversall upon an Outlawry, for default of Proclamation, with one name, and the baile upon a *Nolle prosecuti,* v.s.iv.d

For every name more, ii.s.

For every reversall, for every insufficient Exigent, or retourne for one name, 8.s.iv.d

For every name more, ii.s.

The Fees abovesaid, are the Fees which were usually and accustomably taken in my Office of chief Prothonotarie of the Court of common Pleas at Westminster, *in Ann.* 32, & 33. *Eliz. nup. Reg. Angl.* in which yeare I was admitted to the said Office, and as I verily thinke, the ancient Fees of the Court.

Brownelowe.

IN *Anno xvi, Ino. Reg.* I came to my Office of second Prothonotary of the said Court of common Pleas, and the Fees before mentioned were the Fees which usually and accustomably then were taken, and I doe verily thinke them to be the ancient Fees of the Court, belonging to my Office.

Gulson.

THe Fees before recited, are the Fees which were usually and accustomably taken in my said Office of third Prothonotary of the said Court, *in Anno* 3. *Car. Reg.* in which instant yeare I was admitted to the said Office, and I verily thinke they are the ancient Fees of the said Court.

Moyle.

The Prothonotaries Clarks *Fees.*

INprimis, For the copies of common Declarations and Pleas, for every ſheete written as aforeſaid, iiii.d.

For every ſheete in reall and mixt Actions, and actions upon any Statute, and the like, viii.d.

For drawing every ſpeciall Declaration and Plea, for every ſheete, viii.d.

For every continuance every Terme, of every Iſſue, Writ, Impurlance, Demurrer, ſpeciall Verdict, or Adjournment, iiii.d.

For exemplifying of every Recovery, with a double Voucher, vi.s.

For every Voucher more, xii.d.

For exemplifying of any Record, not exceeding eight ſheetes, v.s.

For every ſheete more, vi.d.

For drawing every extraordinary long Writ, after the rate for every ſheete of, viii.d.

For the entrie thereof, if it ſhall ſo require, for every ſheete, iiii.d.

For the copie of a judgement, for every ſheete, viii.d.

For the entrie of every Writ, and retourne thereof into the Prothonotaries remembrance,

remembrance, for the drawing up of a judgement, if it exceed not three sheetes, vi.d.

For every sheete above, iiii.d.

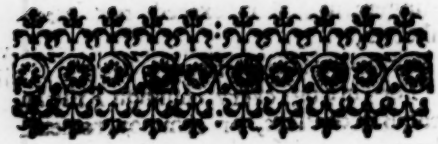
For entring every common Rule in the Bill of Pleas, or common remembrance, iiii.d.

For entring and ingrossing of every Summons for a Recovery, and for making of the Writ of Summons, ii.s.

For the entrie of every *Mittimus*, or *Dedimus potestatem*, for a Recovery, ii.s.vi.d

For ingrossing of every *Nisi prius*, after the rate of iiii. d. for every sheete, iiii.d.

For entring every *Testat. Fieri fac. & Scire fac.* iiii.d.



The Fees of the Clarke *of the* Inrollments, Warrants, *and* Estreats *in the common Pleas, as are now, and have been taken these two and thirty yeares, and as I conceive were taken ever since* 31. Eliz. *saving the Fee hereafter mentioned, allowed* per ordin. Cur.

EVery Inrollment containing a side of a Roll,	v.s.
Of a full Roll,	x.s.

And so according to that rate,

Every Warrant of Attourney *in deb. transg. & deten.*	iiii.d.
The Sheriffes Warrants,	xii.d.
Every other Warrant, called double Warrants,	viii.d.
For a *post Termin.*	iiii.d.
The Lord Maior of London his Warrant,	v.s. 8.d.

The

The Secondaries of the Compters in Easter Terme yearely, 13.s.4.d

For entring of an Attournies name in the Roll of Attournies, upon his first admittance, iii.s.4.d

For a Warrant upon a Writ of Covenant, *per ordin. Cur.* iiii.d.

William Rolfe.

Paid to the Clarke by every Attourney iiii. d. a Terme, called the Roll great, which is paid to the Judges Box, and I conceive it to be due ever since 11. *Eliz.* iiii.d.

Paid also to the Clarke by the Prothonotaries xii. d. upon every Recovery, which is also paid to the Judges, xii.d.

To the Clarke when an Attourney is first sworne, xii.d.

The Chirographers *Fees.*

INprimis, The ancient Fee limitted by Stat. 11. *Eliz.* for every Fine, iiii.s.

Item, From 4. *H.* 7. for the service in proclaiming Fines, viii. d.

Item, By Stat. 23. *Eliz.* for writing the Roll, iiii.d.

So the Chirographers Fee for every Fine is, v.s.

Other Fees also due, and anciently paid to the Chirographer, videlicet,

For exemplifying a Fine the Term in which it was ingrossed, ii.s.8.d.

For every sheete of every Fine, of twelve lines copied out of the Record, xii.d.

For the sight of every Record being ancient, from H. 8. upwards, iii.s.4.d

For the search of every Fine from H. 8. to this present, for every yeare, viii.d.

For the search of every Fine during the raigne of H.8. for every yeare, xii.d.

For certifying of every Record by a Writ of Error, xii.s.

For a *Quid juris clamat, quæ reddat, reddit, & per quæ servit.* vi.s.

For entring a claime upon a Record, v.s.

For allowing of Proclamations upon Fines brought into the Office after the Terme ended, vi.d.

For the *post Termin.* of a Fine, xiiii.d.

William Blake.

The

The Chirographers Clarkes *Fees for ingrossing of Fines by the Attornies which sue them out.*

THe Chirographers Clarks have received an allowance of the Attournies for their paines for them, which heretofore have been more advantagious unto them than now it is, being reduced to ii.s. vi. d. in certaine, had and made at the request of 100. or 80. of the most ancient Attournies, with *Iohn Brewer* Esquire, Clarke of the said Office, in 2. or 3. of King *Iames*; To which agreement had and made in writing, the said Attournies set to their hands, and the same was delivered to Sir *Edw: Cooke* Knight, then chiefe Justice of the common Pleas, and hath so continued ever since, ii.s.vi.d

For this allowance the Clarkes doe write more than all the Officers through which Fines doe passe, *viz.* They write every Fine long or short, foure times over in a great set hand.

Randall.

Fees belonging to the Clarke of the Treasurie.

For the copie of every issue, and impuriance for every sheete, iiii.d.

For every Judgement, Deed enrolled, and reall Action, for every sheete, viii.d.

For the search of every Terme above ten yeares, iv.d.

For every Exemplification not exceeding three sheetes, vii.s.

For every sheete more, xii.d.

For every Record of *Nisi prius* not exceeding three sheetes, ii.s.

For every sheete more, iiii.d.

Ex. per Duncombe Cler. Thesaurar.
Tho: Richardson, *mil.*

Fees for the Keeper of the Treasurie *from* 11. *Eliz.*

Inprimis, For search of a Terme above ten yeares, viii.d.

For seven yeares under ten years, iiii.d.

For three yeares, o

For search of a Plea Roll, iiii.d.

For

For a Roll carried into the Court, vi.d.
For making up a Term and Record, iii.s.
For every Attourney ſworn in Court, xii.d.
For a Jurie at Bar, v.s.
For a *Niſi prius* in Midd. ii.s.
For a Wager in Law, vi.d.
For a copie of a *Precipe* after the Terme, xviii.d.
For a Fine acknowledged in the Treaſurie, iiii.d.
For a Warrant of Attourney loſt, unentred, and comes to be entred in the Roll after the Terme, iiii.d.
For an entrie loſt out of the Kings ſilver, and comes to be entred in the Office, iv.d.
From the Clarke of the Treaſurie for my attendance every Terme, v.s.
For my Key after the Terme, xviiid.

William Weſe.

Theſe

These be the Fees which I Henry Ewer, *Clarke of the Kings silver have taken since I became Officer, which was* in Mich. 16. Iac. Reg. *and were usually taken before that time by Master* Gulson *my Predecessor in the said Office, and I doe believe they were due* in Anno 11 Eliz. *except iiii. d. encreased by order of Court* in Hillar. An. 8. Iac. Reg.

INprimis, For the Fees of every ordinary Fine taken by the Lord chiefe Justice of the common Pleas, or any Judge of Assize in the Western Circuit, together with the copie, or *post fine*, xviii.d.

For every Fine taken in the same Circuit by speciall Commission, and for the copie of the *post fine*, xxii.d.

For every ordinary Fine elsewhere in England, and Munmouthshire taken as aforesaid without Commission, and for the copie, x.d.

For every Fine taken by speciall Commission out of the Westerne Circuit, and for the copie, xiv.d.

For every several Caption in any Fine where

where it is taken at ſeverall times by ſpeciall Commiſſion, over and above the former rates, iiii.d

For every Fine certified by *certiorari* after the death of any Judge, or other Commiſſioners, over and above the former rates, vi.d.

For the *poſt Termin.* of every Fine brought in the next Vacation after the retourne of the Writ of Covenant, vi.d.

For every ſearch of any Fine every Terme, iiii.d.

For every copie of the Entrie of the Kings ſilver, viii.d.

For every Fee of a *Ne recipiatur* of any Fine either by Order or Warrant of the Court, or any Judge, iii.s4.d.

For the continuing of any ſuch Order or Warrant from Te me to Terme till it be diſſolved, iii.s.4.d

Hen: Ewer.

The Phillizers *Fees,*

I*Nprimis*, For every Cap. al. & plur. Cap. in Debt, Detinue, and Treſpaſſe, not having more than foure names in a Writ, and Entrie thereof, vi.d.

Item, For delivery of every firſt Cap. upon

upon Record, and Entrie thereof, iiii.d.

For every *Testat.* upon any of the said Writs, *pon. in Replevin & Summons*, xii.d.

Item, For every Cap. al. & plur. in Accompt, Covenant, Annuity, *Ejectione firme*, and upon penall Stat. xii.d.

Item, For every Writ in an action upon the Case, or more, according to the length, xii.d.

For every retourn. *habend.* and second deliverance before appearance and entrie thereof, ii.s.vi.d

For every *Non omit. & cap.* in Withernam, ii.s.vi.d

For every Writ of partition, *warrant. charte*, *Quare imp.* and Waste, xii.d.

For every Writ for enquiry of damages in reall actions, *Scire fac. & Superfid.* ii.s.

For every graund *cap. al. sum. pet. cap.* and entrie thereof, ii.s.vi.d

For the copy of the entrie thereof, viii.d.

For the demaundant in every Writ of View, and entrie thereof, ii.s.vi.d

For the copie of the entrie thereof, viii.d.

For every Writ of seizin and entrie thereof, iv.s.vi.d

For the view paper, ii.s.

For a copie of the entrie thereof, viii.d.

For every Writ of *Habeas corpus*, *duc. coram distring. imp. vic. & distring. ball.* ii.s.

For every Writ of rescous and entry thereof, ii.s.

For the entrie of every adjournment, discontinuance, and resort, iiii.d.

For every speciall baile, and the entrie thereof, iis.x.d.

For every comparence in reall and mixt actions, iv. d.

For every comparence upon Writs to arrest, and the entrie thereof, xii.d.

For Searches, Copies, Number Rols, and giving of rules, each of them, iiii.d.

Exigenters *Fees.*

EVer since the Stat. of *H.* 8. which gave the Proclamation upon the Exigent, the whole estate of the Exigenters Office did consist in the making of three Writs, *videlicet*, an Exigent, a Supersid. and a Proclamation, All which Writs are warranted by one and the same Record.

For all the time of our remembrance and experience in the said Court, which hath been (by the most ancient of us) for about thirty yeares, or thereabout, the Fees of the said Writs were as followeth, *videlicet*;

The Supersid.	ii.s.
The Exigent,	xi.d.
The Proclamation,	vi.d.

Which

Which Fee of vi. d. was given by the Stat. of *6. H.* 8. being now about one hundred and ten yeares ſince.

About eight or nine yeares ſince the Superſid. (*quia improvide*) being the leaſt Writ in labour, and more in profit than both the other, was granted by Letters Patents under the great Seale of England, by the late King of famous memory, to Maſter *Iohn Murray*, then of his Majeſties Bedchamber, and partly to avoid conteſtation with his ſaid Majeſties graunt, and upon hopes and promiſes of ſome recompence another way, the Exigenters did give way to the ſaid Patent, and have ever ſince loſt the benefit of the ſaid Superſid. whereupon the Judges did give encreaſe only of i.d. to be taken upon the Exigent, for reliefe of the Exigenters and their Clarkes, and ſo the Exigent was made xii. d. which increaſe of i. d. is all the recompence which hitherto they have received for that great loſſe of the Superſid.

We have likewiſe heard that about forty yeares ſince, and before our times by occaſion of an Act of Parliament, made 31. *Eliz.* whereby the Proclamation of the Exigent was much enlarged without any addition or encreaſe of Fee, there was i. d. added to the Exigent to be given to the poore Clarkes

for

for writing the ſaid Writs over and above the ancient allowance, which i. d. hath ever ſince been paid to the ſaid poore Clarkes accordingly, without any benefit to the Maſters themſelves.

Other increaſe, addition, or alteration of Fees in our Offices we know not of, nor ever heard of, although the length of the ſaid Exigent, or Proclamation with their entries, conſidering the length of the Superſid. (All which we humbly ſubmit to his Majeſties Commiſſioner's) might perhaps have juſtly deſerved ſome further improvement. And it is certainly true, that no other encreaſe of Fees hath been in our Offices ſince 11. *Eliz.* nor for ought we ever heard, or can by any meanes conjecture for theſe hundred yeares at the leaſt.

Rich: Page.
Charles Cooke.
Dan: Holford.
Io: Millington.

HIL-

HILLAR. TERTIO
Caroli Regis.

The Clarke of the Jurors.

A note of all such Fees as are now usually taken by the Clarkes of the Iurors *of his Maiesties Court of Common Pleas at Westm. being the same, and no other then such as have been taken time out of minde.*

IN *primis*, For a Writ of *hab. corp. Jurator.* in debt and trespasse, x.d.

For the like Writ in all other actions, xvi.d.

For a Distring. *cum decem Tales*, ii.s.iv.d

For a Termes search, the copie of a Jurie, a number Roll, and a discontinuance and adjournm: for every of them, *Io: Adie.* iiii.d.

The

The Clarke of the Essoines.

INprimis, For every Essoine and exception,	iiii.d.
For the copie,	iiii.d.
For every adjournment,	iv.d.
For the copie,	ii.d.
For every *Idem dies*,	iiii.d.
For every Nonsuit for want of adjournment in actions personall,	ii.s.iv.d
For the Copie,	xii.d.
For every Nonsuit in Actions reall,	4.s.iv.d
For the copie,	xii.d.
For the exemplification of every Essoine and Nonsuit thereupon when it shall happen, being very seldome,	7.s.vi.d
For the copie thereof,	3.s.iv.d
For the Clarke,	xii.d.
For severall Fees from severall Officers of the Court towards the numbring and marking of the Rolls,	4.l.9.s.

Fran: Hurst.

Outlawrie *Office.*

In the Kings Attourney generall his Office of the Outlaries executed by his Deputy Master Iohnson, ***the Fees are as followeth,*** viz.

FOr a speciall Cap. *Vtlagat.* against body, lands, and goods, ii.s.4.d.
For a propr. xiiii.d.
For every Writ of *hab. corp. & duces tecum,* when they are sued forth, ii.s.iv.d
If a propr. xiiii.d.
For a generall Cap. *Vtlagat.* x.d.
If a propr. vi.d.
For ingrossing and certifying a speciall VVrit, with the Inquisition retourned by the Sheriffe, of lands, or goods found thereupon, and for the Exigent, with the retourne thereof at large certified into the Exchequer, when it is required, the Office Fee is viii.s. unlesse it be commanded by the Lord Treasurer, Chancellor, or Barons of

of the Exchequer, or by the Kings Attourney generall, or Sollicitor, for his Majesties service only, then no Fee is due. viii.s. *aut nil.*

For ingrossing and certifying a reversall into the Exchequer to discharge Seizures upon Outlaries, when any is, v.s.

And to the Clarke, iiii.d.

For entring the reversall in the Outlarie Office to discharge all Processe thereupon, or upon any Writ of Error, ii.s.8.d.

For certifying of an Outlarie, or reversall when it is pleaded, ii.s.

And to the Clarke, iiii.d.

For search of an Outlarie one Term (as in all other Offices) iiii.d. if above a yeare, then iii. d. a Terme, which is iiii.d. the utmost, iii.d.

For entring and filing of an Exigent, with one processe thereupon, iiii.d.

These severall Fees aforesaid were paid and received in Easter Terme 34. Eliz. *and ever since to mine own knowledge, for so long I have been and continued Clark and Deputy to all Attournies generall that have been since that time.*

These (as I understand) are the true Fees. *Ro. Heath.*

will. Johnson.

The Fees of the Seale for Writs.

ALL VVrits of the Kings Bench and Common Pleas,	vii.d.
The exemplifications of the Kings Bench,	ii.s.vi.d
The exemplifications of the Common Pleas,	ii.s.ii.d.
Outlaries,	i.d.
Propr.	i.d.

Ri: Ligon.

Fees due to the Marshall and Proclamator of the Court of Common Pleas given by Order made by all the Iudges of the Court, Term. Trin. 31. H. 1. post Conquestum, *and received accordingly by the said Marshall and Proclamator, for any thing appereth to the contrary, untill* 11. Eliz. *and ever since.*

INprimis, For every Judgement, and Nonsuit,	iiii.d.
Item, For every Fine,	viii.d.

Item,

Item, For every finall judgement, xii.d.

william Senkey,

Chiefe Usher of the Exchequer, and Marshall, and Proclamator of the said Court of common Pleas by Lease from *Clement walker* Esquire, who hath the same Office in inheritance by graund Serjeantie.

The foure Cryers.

HEreafter doe ensue the good Ordinances and Rules made aswell by the Kings Justices of the common Pleas in times past, as by the Justices now being for the good rule and order of the said Court, which same now Justices doe charge and command every of the said Officers and Attournies well and truly to observe and keep upon the paines therein limited.

Which said orders were enrolled *Termin. Trin.* 35. *H.* 1. *post conquestum rot.* 494. *Io: Priest* chiefe Justice of the common Pleas, *Ni. Austen*, *Pet. Arder*, *Ro. Davers*, *Ro. Dawbie*, *wa. Moile*, and *Iohn Needeham*, Just. of the same Court.

The Cryers Fees from 11. Eliz.

FOr every judgement,	iiii.d.
For every finall judgement,	xii.d.
For every Nonſuit,	iiii.d.
For every Fine,	viii.d.
For every Recovery,	viii.d.
For calling a Jury if they fill not,	ii.s.
For every Jurie if they fill, and ſerve, and give up their Verdict the ſame day, at the Bar the ſame day, and for keeping them till then,	xvi.s.
If the Jurie lie all night, that we be forced to watch and waite on them all night,	xxx.s.
For carrying every bundle of Records out of the Treaſurie into the Court, and back again into the Treaſurie,	vi.d.
For every Attourney that is ſworne,	vi.s.
For every Baile,	xii.d.
For every Oath in Court,	xii.d.
For every wager of Law old Fees,	4.s. 4.d.
For every *Scire fac.* called in Court,	iv.d.
For every *Niſi prius* before my Lord chiefe Juſtice,	iv.s.
For every Guardian,	xii.d.

Ro. Heliard, Tho: wickman,
Iohn Philpot, William weſt.

The

The Fees of the keeper of the Court, from 11. Eliz.

FRom the Clarke of the Treasurie for hanging the cloath of the Court,	vi.s.8.d
For a wager of Law, and Wagermen,	ix.s.6.d
For a Jurie at Bar,	v.s.
For every Attourney sworn in Court,	xii.d.
For a *Nisi prius* in Midd.	ii.s.
For a Baile,	iv.d.
For a Fine,	iiii.d.
For a Deed acknowledged,	iiii.d.
For satisfaction acknowledged,	ii.s.

will: wese.

The Fees of the Clarke of the Inrollments *of Fines and Recoveries.*

IN*primis*, The Fee due to the Judges by the Stat. of 23. *Eliz.* for inrolling of every Fine and Recovery,	6.s.8.d.
Item, Due to the Judges by the same Stat. for exemplifying every inrolment,	v.s.

For ſearch of every Fine inrolled for every yeare, xvi.d.

For copying every Fine inrolled, for every ſheete, xii.d.

For the Clarkes Fee for inrolling by the Roll, 8.s.8.d.

For exemplifying after the ſame rate, 8.s.4.d.

For every rule upon amendments, 3.s.iv.d

For retourning VVrits of Covenants upon Fines, and VVrits of Entries, Summons, and Seizins upon common Recoveries, as deputy of Record for Sheriffes appointed by the Court, the ancient Fee is, ii.s.

The Porter *of the Court, his Fees from* 11. Eliz.

FOr every VVrit of Entrie with M. Attourney generall, iiii.d.

For a Jury at Bar, v.s.

For a *Niſi prius*, ii.s.

For a wager of Law, vi.d.

For a Fine acknowledged, iiii.d.

For a Baile, iiii.d.

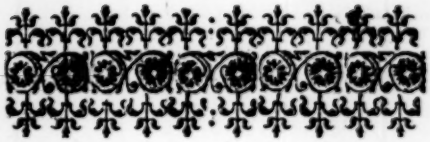
For ſatisfaction acknowledged, ii.d.

For the Attournies Oath, xii.d.

For a Guardian, iv.d.

Jo: wade.

Aliena-



Alienation *Office.*

THo: Ravenſcroft, Fra: Poulton, Geo: Coultrop, Eſquires Commiſſioners.

Tho: Bond Eſquire, Receiver.

Take no Fees, but receive a certaine ſtipend from the King.

Fees taken by the Maſter of the Chancery, *for that Office appointed.*

FOr ſignifying every Docquet upon Licence and Pardon of Alienation, ii. s.

For every Writ of Entrie, for lands holden in chiefe, iiii.d.

For Writs of Entrie of lands not holden in chiefe, iiii.d.

For

For Affidavits upon discharge of Tenures, ii.s.

Anth: Crosts.

The usuall Fees taken in the Office of Compositions, *for alienations, by the Clarkes there.*

FOr a certificate upon a Writ of Entrie, iii.s. 4.d

For the warrant to the great Seale for pardon of Alienation, x.s.

For viewing the Subjects evidences, search of the Tenures, and drawing of the Affidavit with Proces, to be discharged, vi.s.8.d

For a release in nature of a Pardon of alienation upon a common Recovery, and for the like release upon a speciall Livery, and also for a release upon a generall pardon at the Coronation, or other times for each of them, 13.s.4.d

For the note of a Sheriffes discharge upon a seizure, iii.s.4. d

For every Ex. and for certifying thereof into the Exchequer, xii.d.

For the Sheriffes acquittance, vi.s.8.d

Hum: Hurleston.

For

FOr entring in a large booke every Writ of Covenant fineable, *videlicet*, in the Terme time, vi.d.
And in the Vacation, xii.d.
For entring in another book remaining in the ſaid Office every Docquet upon a licence of Alienation in the Terme time, xii.d.
And in the Vacation, ii.s.
For every Docquet for a pardon of Alienation in proces of *Diſtring.* or *Scire fac.* ii.s.
For every Writ of entrie of Lands holden *in capite*, and entred in the ſame booke, vi.d.
And in the Vacation, xii.d.

Hen: Smith.

FOr endorſing every writ of Entry, vi.d.
For endorſing every writ of Covenant in Terme, iiii.d.
In the Vacation, vi.d.
For entring unfiled VVrits, vi.d.
For drawing the diſcharges of Tenures in Parliament, and entring them, vii.s.

Hugh Dodd.

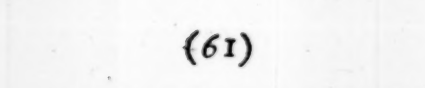
The

The Vndersheriffe of Middlesex taketh these Fees following in his Maiesties Court of Common Pleas.

FOr a Warrant upon a Cap. for every name,	iiii.d.
For retourne of a *Venire fac.*	ii.s.
For a Warrant upon a Cap. *Vtlagat.*	iiii.d.
For retourne of a *Hab. corpora Iuratorum,*	iiii.s.
For summoning the jurie, for every name,	iiii.d.
For a *Cepi corpus* for every man,	iiii.d.
For retourne of an Exigent for every man,	iiii.d.
For retourne of a Proclamation,	xii.d.
For retourne of a *Scire fac.*	ii.s.
For retourne of a *Nihil overat. & Fier. fac.*	xii.d.

Iames Prym Subvic.

The



The Warden *of the* Fleete, *his Fees.*

A note of the Fees due and belonging to the Warden of the Fleete, and under-Officers, as appareth by a Commission under the great Seale of England from the late Queene Eliz. *in the third yeare of the raigne, and confirmed in the* 37. *yeare of her raigne, what every severall prisoner in their severall degrees ought to pay.*

AN Archbishop, A Duke, A Dutchesse, Are to pay for their Commitment Fee to the said Warden and his Officers, having the first weekes dyet with wine, l. s. 21.10.

Also they are to pay for their ordinary weekly dyet with wine, l. s.d. 3.6.8.

A

A Marquis, A Marquesses, An Earle, A Countesse, A Vice-Countesse, Are to pay for their Commitment Fee to the said Warden and his Officers, l. s.
having the first weekes dyet, 14.11.

Also they are to pay for their ordinary weekly dyet with wine, 2. l.

A Lord Spirituall, or Temporall, A Lady, the wife of a Baron, or Lord, Are to pay for their Commitment Fee as abovesaid, having the first weekes l. s. d
dyet with wine, 11.5.10

Also they are to pay for their ordinary weekly commons with wine, l. s.d.
1.6.8.

A Knight, A Lady, the wife of a Knight, A Doctor of Divinity, A Doctor of Law, or others of like calling; Are to pay as aforesaid for their Commitment Fee, having the first weekes l. s.
dyet with wine, 5. 1.

Also they are to pay for their ordinary weekly commons with wine, s.d.
18.6.

An

An Esquire, A Gentleman, A Gentlewoman that shall sit at the Parlour commons, or any person under that degree, that shall be at the same commons; Are to pay for their Commitment Fee as aforesaid, having the first weekes dyet with wine, l. s. d. 3. 6. 8.

Also they are to pay for their ordinary weekly commons with wine, 10. s.

A Yeoman, or any others that shall be at the Hall commons, man or woman; Are to pay for their Commitment Fee, having the first weekes dyet.

Also they are to pay for their ordinary weekly Commons, 5. s.

A poore man in the Ward, that hath part of the Boxe; Is to pay for his Commitment Fee, having no dyet, 7.s. 4.d

Also

Also there is due to the said Warden xx.d. per diem, *for the whole day, and x.d. for the halfe day, for every man that he may lawfully license to go abroad.*

MOreover the said Warden hath retourne of Writs as Sheriffes, and Bailiffes of liberties have, by which he hath allowance for retourn of every *Hab. corp.* or Attachment, ii.s.iv.d

Also for every *Habeas corpus cum causa*, there are Fees for retourning the causes, *videlicet*:

For allowing the Writ,	ii.s.iv.d
For retourning the first cause,	ii.s.
For every execution,	
For every action,	xii.d.

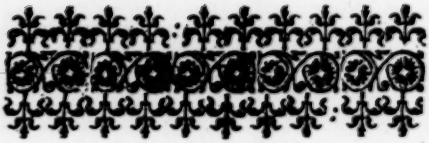
Which are due to the Wardens Clarkes, and v. s. to the Wardens servants for bringing every prisoner safe to the Bar.

Also he hath for allowance of every Supersid. and discharge, ii. s.iv.d

Also

Also when any man is committed by Order out of the Courts of Starchamber, Chancery, Court of Wards and Liveries, Court of Exchequer, Court of Requests, and Court of Duchie, the VVardens servants (being sent to apprehend them, and bring them to the Fleete, according to the tenour of their commitment) have iiii. d. the mile where they are apprehended, and iv.d. the mile backe againe, and the Clarke hath ii.s. for making the Writ.

Hen: Lelle.



THE JVRORS PRE-*ſentment, Februarii*, 15. 1627.

THE Certificate of us whoſe names are here under-written, Attournies of the Court of Common Pleas, given and preſented the fifteenth day of Febr. 1627. unto his Majeſties Commiſſioners for inquirie after exacted Fees, and innovated Offices according to the Oath to us, by them in that behalfe adminiſtred.

Inprimis, As concerning what Offices were uſually holden, kept, or executed in the ſaid Court, in the eleventh yeare of the raigne of our late Soveraigne Lady Queene *Elizabeth*; Wee ſay that our knowledges doe not extend ſo far, but for the time of our reſpective knowledges, there hath beene in

in the said Court, these particular Offices and Places following, *videlicet*:

The Custos Brevium.
The Prothonotaries.
The Clarke of the Warrants.
The Chirographer.
The Clarke of the Treasury.
The Clarke of the Outlaries.
The Proclamator *of the* Court.
The Cryers *of the Court, whom we take to be but Substitutes to the Proclamator.*
The Clarke *of the Kings silver.*
The Phillizers.
The Exigenters.
The Clarke of the Iuries.
The Clarke of the Errors.
The Seale *Office.*
The Clarke of the Essoines.
The Keeper of the Court.
The Office of Inrollments, *of* Fines *and* Recoveries, *erected by Sta.*
The Porter *of the Court.*

And for new erected Offices, we never knew of any other, then the Office following.

An Office called the *Superseideas* Office, which (as we are informed) is

 granted

granted by Letters Patents under the great Seale of England.

Touching what Fees, Rewards, Summe, or Summes of money were in the said eleventh yeare of the raigne of our said late Soveraigne Queene *Elizabeth*, or at any time since usually, or accustomably taken, received, or had by the Judges, Counsellours, or Practisers, Officers, or their deputies, or other Ministers, Clarkes, Registers, or Attournies of the said Court, we doe certifie as followeth, *videlicet*:

The Iudges *Fees that have beene usually, or accustomably paid, during our remembrances*, viz.

INprimis, For allowing a Writ of Error upon a single judgement, 17.s.6.d

For allowance of a Writ of Error upon a judgement, upon a *Scire fac.* or upon an Outlarie after judgement, 3.s.

For signing every Writ of priviledge *Procedendo Supersid.* upon a *Procedend.* or *Hab. corp.* iiii.s.

For a Baile upon a Writ of priviledge at their Chamber, one cause only being certified, 9.s.8.d.

For every cause more, ii.s.

For

For a Prohibition, 9.s.8.d.

For confessing a judgement at a Judges Chamber, 9.s.8.d.

For an Affidavit before a Judge out of Court, xii.d.

For acknowledging of a Fine out of Court, 9.s.8.d.

For certifying of a Fine, or retourne of a *Dedimus potestatem*, and not of the *Precipe*, xvi.d.

For every Warrant of Attourney for Recovery taken out of the Court, 9.s.8.d.

For reversing of an Outlarie out of Court for one name, 9.s.8.d.

For every other name, ii.s.

For every witnesse for the proofe of a suggestion upon a Prohibition out of Court, 9.s.8.d.

For admission of a Guardian out of Court, 9.s.8.d.

For a privie Verdict, 9.s.8.d.

For signing of an Information, iiii.d.

For a licence to compound upon an Information, ii. s.vi.d

For acknowledging of a deed to bee inrolled in Court, xii.d.

For acknowledging of a deed out of Court to be inrolled ix.s.viii. d. now they take but iiii. s.

For taking of a speciall Baile upon meane proces out of Court, in the Phillizers office in Terme, xii.d.

For taking a ſpeciall Baile upon meane proces after the Terme, 9.s.8.d.

For a Warrant under a Judges hand to paſſe a Fine, where are more than three Cognizors, or three Cognizees, which was not taken till 12. *Iac. Reg. per ord. cur.* iiii.s.

Serjeants Fees,

As for Counſellors, there are none attending at the Court of Common Pleas, other then Serieants at Law, whoſe ancient Fees have been as followeth, viz.

FOr a motion, or ſetting his hand to a ſpeciall Plea, x.s.

For a triall at Barre, or an argument upon a demurrer, xx.s.

For drawing a Recovery at Bar to every Serjeant uſed in the ſame Recovery, iii.s.4.d

For declaring of a Fine at Bar, iii.s.4.d

The

The Custos Brevium.

THE Fees mentioned in the Certificate under Master *Spencers* hand hereto annexed are the usuall, and accustomed Fees, which during our remembrance have been paid, Except.

The summe of xii. d. demanded in the Fees of every Fine formerly certified, which of late times hath been taken more than heretofore was anciently taken, and was first claimed by them for retourne of Writs of Covenant under colour of Deputations from the Sheriffes, and now is claimed for keeping three parts of a Fine which we hold not to be due.

Also the xx.d. demanded for filing of every Writ after the Terme, and so for every Terme after xx. d. whereas the Fee of xx. d. is not to be paid for filing of any Writ after any Terme, unlesse it be filed after the last filing day of the next subsequent Terme, after the retourne thereof, and more then xx.d. ought not to be paid for filing of any Writ, unlesse it be above a yeare after the retourne.

Also the Fee of xii.d.for filing of eve-

ry Writ of Entrie, Summons, and Seizin upon common Recoveries taken by the Clarkes of that Office, which wee hold not to be due, for that iiii. d. ought to be paid and taken as their Masters Fee for a *post diem.*

And we also certifie that there hath been usually and accustomably paid to the *Custos Brevium*, or his Clarkes the Fees following, *videlicet.*

For every *Ne recipiatur*, comming under a Judges hand, or by order in Court, xii.d.

For every note of Jurors names for the Clarke of the Juries to make further proces by, viii.d.

For every note of an Exigent, for the Clarke of the Outlaries to make further proces by, viii.d.

For the copying of every Writ, or other Record, for every Sheete, viii.d.

For the search of any booke of Entries of any Writs, for every Terme searching, iiii.d.

As for the rest of the Fees mentioned in the said Certificate, the same being Fees demanded by the Clarkes of the *Custos Brevium* his Office, and Bagbearer to be allowed them by the Master of the said Office, we know not any such Fees to be due unto them, and doe certifie, that if any such be, the same are to be paid to the same Clarkes,

Clarkes, and Bag-bearer by their ſaid Maſter out of the Fees before recited, and no others.

In the Prothonotaries *Office.*

FIrſt, we doe finde nothing to the contrary, but that all the Fees certified by the ſaid Prothonotaries, are the uſuall Fees that have been accuſtomably paid during the time of our remembrance, but we certifie further that there hath been taken by the ſpace often yeares laſt paſt, or thereabouts upon every judgement in perſonall, and mixt actions over and above the ii. s. in the Bill of their Fees certified, and more than anciently was paid, xii.d. which they informe us the Judges have for aſſeſſing of Coſts.

There hath been alſo taken by their Clarkes for about twelve or fourteene yeares laſt paſt iiii.s. for the reverſall of every Outlarie in Court not formerly taken, neither is it certified by them which wee are informed is for the Judges Fee in liew of an ancient Fee of ix.s. viii.d. due to the Judges, when the ſame was reverſed at their Chambers.

The

The Secondaries *Fees.*

THere hath been taken by them by the ſpace of ſixteene yeares laſt paſt, or thereabouts xii. d. upon every common Reeovery drawne at the Bar, more than formerly, or is now certified by the Prothonotaries, but the reaſon, or ground thereof we know not.

In the Clarke *of the* Warrants *Office.*

WEE can ſay nothing againſt the Certificate of the Fees of the Clarkes of this Office, but that they have uſually been accuſtomed to be paid during our remembrance, ſaying.

That there is, and hath been by the ſpace of eleven yeares or thereabouts taken by him more than formerly upon every Fine iiii. d. for a Warrant of Attourney which we know not to bee uſed before.

Alſo there is in the laſt mentioned Certificate certified only by Maſter

Mene

Meue mentioned to be paid to the Clarks of the ſaid Prothonotaries xii.d. upon every Recovery, which we know not to be due.

In the Phillizers *Office.*

WEE doe alſo certifie that the Fees mentioned in the Certificate of the Phillizers, intituled, the Fees which the Phillizers of the common Pleas now take, have been uſually and accuſtomably paid during our remembrance for ought we know to the contrary, ſaving,

That there is taken iiii.d. upon every firſt Cap. and viii.d. upon every appearance of the Defendant in every action more than was formerly taken before 14. *Iac. Reg.* which is ſo taken by vertue of an order of the Judges made upon the reaſons expreſſed in the ſaid Order.

And for the viii. d. claimed for the copie of the entrie of every grand Cap. al. Summons & Pet. Cap. wee know it not to be due.

In the Exigenters Office.

WE E alſo certifie that the Fee of ii.s. for a *Superſid.* for ſuch of them as were made in the ſaid Office, was anciently, and uſually taken in the ſaid Office, until a Patent was granted of the ſaid *uperſid.* and that the Fee of x. d. was anciently and uſually taken untill about 31. *Eliz.* for every Exigent except propr. and that ever ſince there hath been taken more for every Exigent i.d. and for the ſpace of ſixe yeares laſt paſt, or thereabouts, i. d. more; The reaſons wee know not, but refer the ſame unto the certificate of the Exigenters.

In the Chirographers *Office.*

WE E acknowledge that the Fees certified by the Chirographer himſelfe, are the uſuall and accuſtomed Fees which have been paid all the time of our reſpective knowledges, but as to the Fees certified under Maſter *Randals* hand for the Clarkes Fees of that Office, we know

no

no ſuch Fees due to them for writing the Chirograph of the ſaid Fine, but we ſay, there hath been uſed to bee given to the ſaid Clarke that ingroſſeth the ſaid Fine xii. d. for a gratuity.

In the Office of the Kings ſilver.

WEE certifie that the ancient and uſuall Fees for entring the Kings ſilver, of every Fine was only vi. d. and for every *Certiorari* for every Fine certified by *Certiorari* after the death of a Judge vi.d. and for every ſearch for a Fine for every Terme iiii. d. and for the copie of the entrie of the Silver, for every ſheet viii. d. if the copie be required, and for every *Ne recipiatur*, or *Ne intratur* of a Fine xii. d. And if the Fine come in after a Terme, and after the Rolls are made up to be delivered up out of their hands, the ſaid Clarke of the Kings ſilver was allowed reaſonable recompence for his paines, but no certaine Fee.

And as concerning all the other Fees mentioned in the Certificate under the hand of Maſter *Henry Ewer* Clarke of the Kings ſilver, We certifie that

that the ſame were taken by the ſaid Clarke of late yeares, and ſince the ſaid eleventh yeare of the ſaid late Queene *Eliz.* the moſt ancient of them being not above thirty yeares or thereabouts, and the reſt of far later time, whereof iiii. d. he demandeth by vertue of an Order of the Iudges in that behalfe made: The copie whereof, is to the Certificate annexed.

In the Office of the Clarke *of the* Treaſurie.

THE Fees mentioned in the Certificate under the hand of the Lord chiefe Iuſtice *Richardſon*, for the Fees of the Clarke of the Treaſury, we acknowledge to be the uſuall and accuſtomed Fees which have been paid during our remembrance, Except, *videliſet*:

viii. d. of the iiii. s. demanded for ſearch of every Terme above ten years the ancient Fee due to the Clarke of the Treaſurie is but iii.s. iiii.d. and the viii.d. reſidue is due to the keeper of the Treaſurie, and is claimed by him in his Certificate.

And

And we alſo certifie that beſides the Fees certified bythe Lord chiefe Iuſtice *Richardſon*, there is due to the under Clarke in the Treaſurie for examining any booke or old Record of *Niſi prius*, or any tranſcript of Record, which the Records in the Treaſury, if it exceed not eight ſheetes xii. d. and if more, then after that rate, and for making and examining the Iurat. of every Record of *Niſi prius* iiii. d. But whereas of late there hath been demanded and taken by the under Clarkes of that Office for the exemplifying of every Recovery with ſingle Voucher iiii. s. vi. d. and for exemplifying any other Record, not exceeding eight ſheetes, v. s. and for every ſheete more, vi. d. and for ingroſſing every Record of *Niſi prius* upon old iſſues for every ſheete iiii. d. We doe certifie that there are no ſuch Fees due unto them, And that the Fees due for thoſe Exemplifications and Ingroſſements are ſatisfied and contained in the Fees certified by the Maſter of the ſaid Office.

The

The Cryers *Fees.*

THe Fees mentioned in the Certificate under the Cryers hands, We thinke are the usuall and accustomed Fees which have been paid during our remembrance, Except.

The Fee of ii.s. by them demanded for the calling of every Jury at the Bar when they sill not, the ancient Fee being but xii.d.

The Fee of xvi.s. by them demanded for keeping of every Jurie during the sitting of the Court, the ancient Fee being but iiii. s.

The Fee of xxx.s. for keeping a Jury all night, the ancient Fee being but viii.s. and no more.

The Fee of vi. s. for every Attourney sworne in Court, the ancient Fee being but iiii.s. and no more.

The Fee of xii. d. for every baile taken in Court, there being no Fee at all due unto them.

The Fee of xii. d. for every Oath in Court, and for every *Scirefac.* called in Court, iiii. d. and xii. d. for every Guardian admitted in Court, there being no such Fees due unto them to our knowledges.

As

As for the Fees of iiii. d. for every judgement, xii.d. for every finall judgment, iiii.d. for every Nonsuit, viii. d. for every Fine, and viii. d. for every Recovery, We know no such Fees due unto them, and they be the same which the Proclamator claimeth and hath.

In the Office of the keeper of the Treasurie.

THe Fees mentioned in the certificate under the Keeper of the Treasuries hand, We thinke to be all the usuall and accustomed Fees which have been paid during our remembrance, Except,

IV.d. for a search after three yeares, till ten yeares, nothing being due.

The Fee of vi.d. for every Roll carried into Court, there being no such Fee due, other then for a Plea Roll.

The ii.s. vi.d. for every Jury at Bar, xii.d. being only due, and no more to our knowledge.

The ii. s. vi. d. for a *Nisi prius* in Middlesex xii. d. only, and no more being there due.

The xviii. d. for his key after the Terme, xii.d. only being due.

And as for the Fee of iii.s. for making

up the Terme and Records vi. d. for every wager of Law, xviii. d. for a copy of a *Precipe* after the Terme, iiii. d. for a Fine acknowledged in the Treasurie, and v.s. from the Clarke of the Treasurie for his attendance every Terme, we know not any of them to be due.

In the Outlarie *Office.*

THe Fees mentioned in the certificate under the hand of Master Attourney generall for the Fees of the Clarke of the said Office we acknowledge to be the usuall and accustomed Fees which have been paid during our remembrances.

But we doe certifie that under colour of these Fees, where there be more defendants than one in a Writ, there is by them taken for the entrie of the reversall to discharge proces thereupon, or upon a Writ of Error for every name, ii. s. viii. d. whereas we conceive there is but ii.s.viii.d.due for all in one Writ of Exigent, that be reversed all one time.

Where there is demanded for search of an Outlarie for every Terme within one yea re iiii. d. and for every Terme above the yeare, iii.d. we certifie it is but

but only in caſe where ſearch is made by a ſtranger, and not by the Attournies for Writs ſued out by themſelves.

The Proclamators *Fees.*

THE Fees mentioned in the certificate under the hand of Maſter *Senkey* for the Fees of the Proclamator, we thinke to be the uſuall and accuſtomed Fees which have been paid to that Officer: But we certifie that the Prothonotaries, and the Chirographer doe receive the ſaid Fees, and not that Officer himſelfe, which Fees are now claimed by the Cryers.

Clarke of the Iuries.

AS for the Fees mentioned in the certificate of the Clarke of the Juries, under his hand we certifie they be the uſuall and accuſtomed Fees which have been paid ſince and during our remembrances.

The Clarke of the Essoines.

THE Fees mentioned in the certificate under his hand, Wee thinke to bee the usuall Fees which have been paid to that Officer during our remembrance.

The vii. s. vi. d. demanded for exemplifying of every Essoine and Nonsuit thereupon, and iii. s. iiii. d. for the copy thereof, We know no such Fee to be due unto him.

And as for the Fee of iiii. l. ix. s. by him demanded from the Officers of this Court, towards the numbring and marking of the Rolls every Terme, We know not any such Fees due unto him, and if it be, We thinke it be not within our enquirie.

The Court Keeper.

WHereas this Officer requireth ix. s. vi. d. for every Wager in Law, his due being onely xxii. d. the rest is to be divided amongst the Cryers, Wagermen, and other Officers, and for the ii. s. vi. d. for a Jurie at Barre,

Barre, we certifie that there is onely xii.d. due, and no more.

For the Fee of vi. s. viii. d. from the Clarke of the Treasurie for hanging the Cloath of the Court, We know no such Fee due to him, and if it be, it is from the Clarke of the Treasury, and so under favour (as we conceive) not within our enquirie.

And as for the Fee of xii. d. for every Attourney sworne in Court, ii. s. for a *Nisi prius* in Middlesex, iiii. d. for a Baile, iiii.d. for a Fine, iiii.d. for a Recovery at Barre, and ii.d. for satisfaction acknowledged, We say there are no such Fees due.

The Porters *Fees.*

THE Fees mentioned in the certificate under the Porters hand, We thinke are the usuall and accustomed Fees during our remembrances paid, Except;

The Fee of v. s. for every triall at Barre, his due being but xii.d.

xii.d. for a *Nisi prius*, his Fee being but vi.d.

I V. d. for a Fine which is not to bee paid, but for every Fine acknowledged by a Feme covert in Court.

I V. d. for every Writ of Entrie, iv.d. for a Baile, ii. d. for ſatisfaction acknowledged, and iiii.d. for a Guardian, We certifie that there are no ſuch Fees due,

---

The Clarke of the Errors *Fees.*

FRom the now Clarke of Errors we have no certificate, but for the Fees formerly certified by Maſter *Moile* late Clarke of the Errors, we thinke that the Fees by him certified, are the Fees which uſually and accuſtomably paid during our remembrances, Except,

The Fee of iii. s. by him demanded for a *Superſid. de non moleſtando*, there being but ii.s. due, and ii.s. for making of the Record.

The Fee of ii.s. iiii. d. for a Nonſuit upon a Writ of Error, we certifie it is not due.

The

The Clarke of the Inrollments.

THE Fees certified by Master *Jackman* for the Fees of that Office, we certifie to be the Fees due by Stat. Except

The Fee of xvi. d. by him demanded for search of every Fine to be inrolled for every yeare, whereas the Fee by Stat. (as we conceive) is but iiii. d. a sheete.

The Fee of xii. d. for copying every sheete of every Fine inrolled, whereas the Fee (as we conceive) is but iiii. d. a sheete.

And as for the Fee of viii. s. iiii. d. for the Clarkes Fee for inrolling by the Roll, and viii s. iiii. d. for exemplifying after the same rate, and for the iii. s. iiii. d. for the rule upon amendments, we doe certifie that we know no such Fees to be due.

And as for the Fee of ii. s. demanded for retourning Writs of Covenant upon Fines, Writs of Entries, Summons and Seizins upon common Recoveries, as deputies of Record for Sheriffes appointed by the Court, we doe certifie that the same Fee is not due unto him, but was anciently due and taken by

the Attournies, and allowed them for returning of the ſaid Writs, and their better care to avoide Errors in ſewing forth the ſaid Fines and Recoveries.

The Attournies Fees.

WEE doe certifie the Attournies Fee for proſecution is, and during our remembrance have been for every Terme in every reall action,

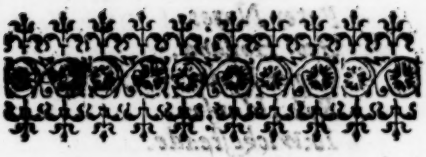
And in every other action,

Bookes and Tables.

TOuching the having of any Bookes, Tables, Rolls, Orders, Warrants, Records, Entries, or other Notes, or writings for the diſcovery of thoſe things we are charged with, Wee doe certifie that we have not any in our cuſtody, neither doe wee know where any are, but only in ſeverall Offices by us certified.

Io: Nichols.
Peter Noyes.
Geo: Holland.
Roger Hude.
Rob: Hanson.
Io: Wickesteade.
Io: Bimbrone.
Io: Skinner.
Nich: Allen.
Fra: Kempe.
Io: Rowley.
Edw: Waller.
Io: Tyrer.
Roger Doddeswell.
Rob. Benson.
Will: Corfield.
Tho: Blofield.
Fra: Newbone.
Anth: Rogers.
Anth: Langston.
Geo: Needler.
Will: Cragge.
Peter Bird.
Edw: Ball.
Ro: Hamby.
Rich: Morse.

Thus farre examined.



The Fees here under mentioned are the Fees due and paid to the Lord chiefe Iustice, and the other Iustices of the Court of common Pleas at Westminster, as they were due, and usually paid to our Predecessors, Iustices of the same Court.

The Lo: chiefe Justice his Fees.

FOR allowance of a Writ of Error upon an Outlarie before judgement, xx.s.

For a Baile taken upon an Outlarie upon meane Proces in debt, if the debt be xx. li. or above, ii.s.4.d.

For the allowance of a writ of Error upon a judgement, xx.s.

For Baile taken in case of debt after judgement, xii.s.

For the allowance of a writ of Error upon

upon a judgement upon a *Scire fac.* and Outlarie after judgement, xxxv.s.

For making the Roll that a writ of Error is allowed on, ii.s.

For a *Superſid.* iii.s.

For the tranſcript of a Record being a Proces, 6.s.8.d.

For every proces more, 6.s.8.d.

For the retourne of every *Certiorar.* 14.s.9.d

For the ſeale of every Record of *Niſi prius,* ii.s.i. d.

For the ſeale of every Writ ſealed in Court, i.d.

For the ſeale of every Exemplification, ii.s.ii.d.

The Fees following are due to ſuch of the Iudges who doe performe the buſineſſe.

FOr acknowledging of a Fine or warrant of Attorney for a common recoverie out of Court, 6.s.8.d.

For ſigning every writ of priviledge, to remove any cauſe, *Habeas corpus, procedendo,* or *Superſid.* upon a *Procedendo,* iv.s.

For every Baile taken out of Court upon any ſuch writ of priviledge, wherein one cauſe only is retourned, ix.s.8.d.

For

For every cause more, ii.s.

For the confession of a judgement out of Court, 9.s.8.d.

For every Phillizers Baile, and other Baile taken out of Court, 9.s.8.d.

For acknowledging satisfaction out of Court, 9.s.8.d.

For acknowledging out of Court a Deed to be inrolled, 9.s.8.d.

For admission of a Guardian out of Court, 9.s.8.d.

For the proofe of a suggestion out of Court, for every witnesse, 9.s.8.d.

For a warrant for passing of a Fine, where there are more than three Cognizors, or three Cognizees parties to the Fine, iiii. s.

For every Affidavit taken out of Court upon a forraigne Plea, or Rescous, ii.s.

For any other Affidavit taken out of Court, viii.d.

For exhibiting of an Information out of Court, viii.d.

For signing a Bill of costs to award an Attachment for not appearing upon a *Subpœna*, viii.d.

For granting a Licence to compound upon a penall Law, ii.s.

For assessing of the Kings part of a forfeiture upon a penall Statute after composition with the Informer, ii.s.

For the commitment out of Court,

of

of a prisoner to the Fleete, charged with one cause only, 9.s.8.d.

For every Baile taken out of Court upon an Outlarie in debt upon meane proces reversed, if the same be xx. l. ii.s.iv.d

Divident *Fees*.

These Fees following are due to the Lord chiefe Iustice, and the other Iudges of the Court of common Pleas, by way of Divident.

FOr confessing of a Judgement in Court, viid.

For acknowledging satisfaction in court, if the debt or damage doe not amount unto 100. l. vi.d.

If the debt or damage doe amount to 100. l. xii. d. and for every 100. l. after the same rate, xii.d.

For admitting an Infant in court to his Guardian, xii.d.

For reversing an Outlarie in Court for error in the Exigent, or retourne, xii.d.

For the like for the insufficiency of the Proclamation, or retourne, or for want

want of a Proclamation, ii.s.

For every common Recovery acknowledged in Court, vi.d.

For a Fine acknowledged in Court, vi.d.

For a Baile taken in Court, or a Baile or Recognizance acknowledged in Court, xii.d.

For a deed acknowledged in Court to be inrolled for a discontinuance, xii.d.

For a Prohibition granted, 9.s. 8.d.

For every wager of Law, or Nonsuit upon a wager of Law, vi.d.

For admission of an Attourney to be an Attourney of this court, xx.s.

The Puisne *Judges Fees.*

For every Fine drawne at the Bar, xii.d.

For a Recovery drawne at the Barre with a single Voucher, xviii.d.

For every Voucher more, vi.d.

For reversall of an Outlary in court, iiii.s.

For taking of a privy Verdict, vi.s.8.d

For taxing of costs upon every Verdict,

From the Clarke of the Warrants every Terme, to every of the puisne Judges,

For every Attourney, whose name is recorded in the Roll of Attournies every Terme, iiii.d.

For

For inrolling and examining the parts of a Fine, and Writs upon common Recoveries by the Stat. 23. *Eliz.* vi.s.

For the Exemplification and examination of the parts of a Fine, and VVrits upon common Recoveries by that Stat. v.s.

For drawing and entring a rule for an amendment upon that Stat. xii.d.

For a search made upon the inrollment upon that Stat. iiii.d.

For a copie of a Fine, or Writs inrolled upon common Recoveries inrolled by that Stat. for every sheete, iiii.d.

For the retourne of every writ of Covenant brought to levy a Fine upon, x.d.

For the retourne of every writ of Entry to suffer a common Recovery, every writ of Summons and Seizin thereupon, x.d.

An ancient Fee of vi.s.viii.d. for signing of a *Dedimus potestatem* due to the Judges of any Court who doe assigne the same, which is now, and of late hath been divided amongst all the Judges that ride the Circuits, 6.s.8.d.

These

These Fees following are due to the Clarkes of the Lord chiefe Iustice, and other the Iustices of the said Court.

TO the Judges Clarke of the Fines, for taking of a Fine, or warrant of Attourney, iii.s.4.d

For certifying of a Fine, or retourne of a *Dedimus potestatem*, xvi.d.

To the Judges Clarke of Bailes, for taking every Baile, xii.d.

For entring every caveat to give notice that good Baile may be taken, xii.d.

For satisfaction acknowledged out of Court, xii.d.

For a Deed acknowledged out of Court to be inrolled, xii.d.

For the proofe of a suggestion out of Court for every witnesse, xii.d.

For an Affidavit taken out of Court, iiii.d.

For entring into his Booke an Information exhibited out of Court, - iiii.d.

For entring into his Booke of costs a warrant signed to award an attachment for not appearing upon a *Subpœna*, iiii.d.

For

For entring into his booke a licence to compound upon a penall Law, iiii. d.

For entring into his booke the Kings part of the forfeiture upon a penall Law assessed by the Iudges, after composition with the Informer, vi.d.

For entring into a Booke, a commitment out of Court of a prisoner to the Fleete, charged with one cause only, xii.d.

To the puisne Iudges Clarke of the Inrollments, for copying, inrolling, and examining the parts of a Fine, and Writs upon Recovery by the Statute, 23. *Eliz.* 8.s.4.d.

For a search made for an inrollment upon that Stat. viii.d.

For writing of a Fine, or Writs inrolled upon a common Recovery inrolled by that Stat. viii.d.

Tho: Richardson.
Ric: Hutton.
Fra: Harvey
Geo: Crooke.
Hen: Yelverton.

FEBRVARII XVII.
1628.

ACcording to an order of his Majesties Commissioners for inquirie after exacted Fees, and innovated Offices, Wee whose names are hereunder subscribed, have met and perused the Iudges Certificate of Fees to us delivered by the said Commissioners, which in our former presentment or certificate we could not so exactly set downe, as we did the Officers Fees, for that we received from the Commissioners severall certificates of the severall Officers of the said Court, concerning all their severall Fees, but we then had not any certificate from the Iudges of their Fees by them demanded and certified, but

but we now having received a certificate by the said Commissioners from the said Iudges, doe now this seventeenth day of February, 1628. upon due consideration thereof had, certifie as followeth, *viz.*

The Lord chiefe Iustice his Fees.

I*Nprimis*, Touching the xx. s. mentioned by the Iudges certifieate for allowance of a writ of Error, upon an Outlarie before judgement, or upon a writ of Error upon a judgement, which in our former certificate wee mentioned to be but xvii. s. vi. d. upon either of them, We certifie now, that for our respective knowledges there hath been paid in the whole xx. s. for every of the same, but we conceive ii.s. vi. d. thereof was for the Lord chiefe Iustice his Clarks, and only xvii.s.vi.d. for the Iudges.

Concerning the ii.s. iiii.d. for a Baile taken upon an Outlarie upon meane proces, the debt being xx. l. or above, mentioned in the Iudges certificate, we certifie that the same hath beene usually paid since an Order made by the Iudges concerning the putting in of a Baile into that case.

Touching the xii.s. mentioned in the said Certificate for a Baile taken in case of debt after judgement, we certifie that since the Stat. made for putting in of Baile in that case, the same hath been usually paid.

Touching the ii. s. for marking the Roll the writ of Error is allowed, and iii.s. for every *Supersid.* We certifie the same hath been usually paid to the Clarke of the Errors, but whether as due to the Iudge, or his Clarke, wee know not, yet some of the ancientest men of the Iury say, that there was anciently paid for every such *Supersid.* but ii.s. as we formerly certified in our former Certificate under the title of the Fees of the Clarke of the Errors.

As to the Fee of ii.s. i.d. for the seale of every Record of *Nisi prius*, the same hath been so anciently paid, saving in case of Propr.

Touching the Lord chiefe Iustice his Fee of i. d. for the seale of every Writ sealed in Court, and ii. d. for the seale of every Exemplification, we certifie them to be due, and parcell of the Fee of vii.d. and ii. s. ii. d. certified in our former Certificate under the title of Fees of the Seale Office.

Touching the rest of the Fees mentioned in the Iudges certificate to bee due to the Lord chiefe Iustice, wee have

have usually paid the same, and therefore doe think them to be due.

The Fees due to such of the Judges as performe the businesse.

TOuching the Fee of vi.s. viii.d. for the acknowledging of a Fine, or warrant of Attourney for a common Recovery out of Court, we certifie as formerly, that ix.s. viii.d. hath been usually paid for the same in the whole, but (as we conceive) the Judge hath only vi. s. viii. d. and his Clarke the rest.

Touching the ii. s. certified for an Affidavit taken out of Court upon a forreine Plea, or Rescous, we certifie that the same hath been anciently paid, but how the same hath been anciently divided between the Judges and Clarks we know not.

Touching the viii. d. certified by the Judges of every other Affidavit taken out of Court, we doe certifie as in our former Certificate, that we have usually paid xii.d. for the same, whereof we conceive iiii.d. is allowed to the Judges Clarkes, as appeareth by the Judges owne Certificate of their Clarkes Fees.

Touching the Fee for granting a

licence to compound upon a penall Law, we certifie as heretofore we have done, that anciently ii. s. vi. d. hath been used to be paid, whereof we conceive ii.s. due to the Judge, and vi. d. to his Clarke.

Touching the ix.s. viii. d. for every reversall of an Outlarie out of Court, we certifie that usually we have paid so much for one name, and if there have been more names than one in the writ, then for every other name ii.s.

Touching the ii.s. iiii. d. for Baile taken out of Court upon an Outlarie in debt upon meane proces reversed, if the debt be xx.l. or above, we certifie that ever since the order was made by the Court for putting in Baile in that case, the same hath been usually paid.

Touching the iiii. s. certified for a warrant, for passing a Fine where there are more than three Cognizors, or three Cognizees parties to the Fine, we certifie that it hath been paid ever since the order made in that behalfe, as we have certified in our former Certificate.

Touching the rest of their Fees, wee certifie that we have usually paid the same during our respective practises, and therefore thinke them to be due.

The

The Divident *Fees.*

TOuching the Fee of xx.s. mentioned to be paid for the admission of every Attourney to be an Attourney of the same Court, we doe certifie that the ancient Fee was only ii.s. howsoever of late yeares xx.s. hath been paid, *videlicet*, for about sixteen yeares.

Touching the residue of the Fees certified by way of Divident, we doe certifie that we have usually paid the same during our respective practises.

The Puisne *Iudges Fees.*

TOuching the xii.d. certified for every Fine drawne at the Bar, and xviii.d. for every Recovery with a single Voucher drawne at Bar, and vi.d. for every Voucher more, wee certifie the same to have been usually paid to the hands of the said Secondaries.

Touching the xii.d. certified for taxing of costs upon every judgement, we referre our selves to our former Certifi-

cate in that behalfe made under the title of the Prothonotaries.

Touching the xxxiii. s. for every puisne Judge from the Clarke of the warrants, we say it passeth not through our hands, nor lyeth in our knowledge, but because the Judges have certified it, we (knowing nothing to the contrary) thinke it to be due.

Touching the Fee of x.d. for retourn of every writ of Covenant brought to levie a Fine upon, x.d. for the retourn of every writ of Entrie to suffer a common Recovery, every writ of Summons and Seizins thereupon, we certifie as before we have done, under the title of the Clarke of the Inrollments, (whereunto we refer our selves) and conceive the same to be parcell of the ii.s. claimed by the Clarke of the Inrollments.

And touching the residue of the Fees certified to be due to the puisne Judges only, we doe certifie that we have usually paid the same during our respective practises, and therefore thinke them to be due.

Subscribed

Subſcribed thus.

Anth: Langſton.
Geo: Needler.
Fra: Kempe.
Edw: Waller.
Ro: Hyde.
Io: Rowley.
Roger Doddeſwell.
Ni: Allen.
Io: Skinner.
Io: Tyrer.
Io: Banbury.
Io: Wickeſteade.
Tho: Bloſield.
Ro: Benſon.
William Cragge.
Peter Bird.
William Coreſield.
Edw: Ball.
Ro: Hanſon.
Ro: Morſe.
Geo: Holland.

Ex, per me Iohan. Dibley Reg. Clericum dic, Commiſ.

A TABLE OF THE DVE FEES OF The Prothonotaries in THE COVRT OF the Commons PLEAS *duodecimo Caroli Regis.*

London printed, 1641.

These are the Fees due and belonging to the three Prothonotaries of the Court of common Pleas at Westm. for entries of Declarations, Pleas, and Iudgements. And also for making and entring of Writs in their severall Offices, and for other dues belonging to them, confirmed and allowed by our Soveraigne Lord King Charles, *by his Letters Patents under the great Seale of England, dated at Cambury the 22. of Iuly, in the 12. yeare of his Raigne, and are mentioned and expressed in a Schedule of Fees to the said Letters annexed, and recorded in his Maiesties Court of common Pleas at Westm. in the Terme of S.* Michael *next following*, quinto, sexto, septimo, octavo, nono.

Inprimis, For the entry of every common Declaration, common Plea in Bar, wherein one Freehold is pleaded, common Replication, and Rejoynder in actions personall,

For

For the entry of every speciall Declaration, speciall Plea in Bar, or Abatement Freehold Replication, or Resoynder, and Pleas subsequent, in actions personall, not exceeding three sheetes, every sheete containing twelve lines at the least, and every line containing ten words, ii.s.

And for every sheete so exceeding, viii.d.

For every Declaration in actions upon the Case *ejectione firme*, accompt, annuity, conspiracy, covent, deceit, partition, *Plegiis acquiet.* and debt upon Statutes, plaint in Assize, and the like speciall actions, and in reall mixt popular actions, if the declaration or plaint exceed not three sheetes, ii.s.

And for every sheete exceeding, viii.d.

For the entring of every Bar, Replication, and Pleas subsequent in every of the actions last above recited, and in the title actions, not exceeding three sheetes, ii.s.

And for every sheete so exceeding, viii.d.

For the buyer of every Bill, Obligation, Indenture, Record, or Certificate, or the like, entred *in hæc verba*, not exceeding the length of three sheetes, ii.s.

And for every sheete above that length, viii.d.

For recording of every apparance by the Court, 2.s. 4.d.

For

For the entry of every Recognizance without condition, challenge to the Sheriffe or Coroners, or to the Aray, or other speciall averments, ii.s.

And for the entring of every Recognizance without a condition, iiii. s.

For every judgement in Debt, Trespasse, or detinue, without a tales for the Prothonotary, ii.s.

And for entring of every adjournement, iiii.d.

For every Judgement with a Tales, besides the Fee above reeited, ii.s.

For every *Remanet*, and Judgement for cost given to the Defendant by the Statute, besides the Fee abovesaid, ii.s.

For every judgement in all other actions, aswell personall, as mixt, and reall, and prohibitions, and the like, iv.s.

For every Satisfaction, *Recordatur*, Discontinuance, *Retraxit*, Relinquishment, *Nolle prosequi*, or the like, in actions personall, ii.s.

And in reall actions, iiii.s.

For the entry of a single Recovery, and the writ of seisin thereupon, x.s. 6.d.

And for every Voucher more, vi.s.

For the entrance of a Summons *ad warr.* for a common Recovery, and the writ of Summons *ad warr.* iv.s.

And if for both, vi.s.

For every forraigne Voucher sent to the common Pleas to summon the

Vouchee,

Vouchee, if the Record be not above three sheetes, ii.s.

And for every sheete more, viii.d.

The like Fees are to be paid when the Record is remitted back againe, after the Voucher determined, 2.s.8.d.

For the entry of every speciall Verdict, whereupon a *Cur. advisar. vult* is entred, being not above the length of three sheetes, written as abovesaid, ii.s.

And for every sheete exceeding that length, viii.d.

For the entry of every generall Verdict, with a *Cur. advisar. vult*, without a Tales, ii.s.

And with a Tales, iiii.s.

For the entry of every Remittive of debt or damages, xii.d.

For the entry of every Information upon any penall Law, and signing the *Subpena* only, ii.s.8.d.

For the entring of every surmise for a Prohibition to be granted, not exceeding the length of three sheetes, as abovesaid, ii.s.

And for every sheete above that length, viii.d.

For the entry of the Oath of every witnesse to prove the surmise in a Prohibition, or *Audita querela* brought by an *Infant* and the entry of the proces *de morte & vita viri*, dower, and the like actions in suits, ii.s.

For

For the releasing of any default in any reall action, ii.s.

And entring the recitall of the grand Cap. iv.s.

For damages cleere in every action where damage is given, if the damage given amount to five markes or above, ii.s. in the pound, ii.s.

And if under five markes, *Nihil.*

For examining every record of *Ni.pr.* xii.d.

For making the Record for triall of an issue in any of the County Palatine, for the first three sheetes. ii.s.

And for every sheete after, iiii.d.

For the exemplification of any Record, not exceeding six sheetes, v.s.

And for every sheete exceeding that rate, viii.d.

For the entring of Seisin in dower, & dying seised, the rerourn of the Seisin, exceeding not above three sheetes, iiii.s.

For every sheete exceeding, viii.d.

For entring of writs of Exemption *de non ponend. in jurat.* and Patents *de libertat. elocand.* and Protections, cognizance of Pleas, and the like, according to the rates abovesaid, if they exceed not three sheetes, ii.s.

And for every sheete exceeding, viii.d.

For the entring the default upon the distresse in wast *quar.imp.* and the like, and judgement thereupon if the title or count doe not exceed three sheetes, 6.s. 4.d.

And if it be more than as aforesaid, for every sheete, viii.d.

For entring of a *Quo warranto*, if it exceed not three sheetes, ii.s.

For the entry of every Plea thereupon, according to the same rate before, ii.s.8.d.

For the entry of a Plea of accompt pleaded before Auditors, if it be not above 3. sheetes written as abovesaid, ii.s.

And if more, for every sheet exceeding, viii.d.

For the entry of every Summons, and Surveyance, and Pryor, ii.s.

For the admission of an Infant to his *Prochin amie*, or Guardian, ii.s.

And if it be by Commission, iiii.s.

For entring of the Defendants discharge upon a Cap. *pro fine*, or for a contempt, ii.s.

For the like upon Rescous, retorned and admitted to his Fine, iiii. s.

For traversing of a Rescous, and issue thereupon, vi.s.

For entring of the allowance of every generall and speciall Pardon of Outlarie before judgement, and after 5.s. 4.d.

For entring of a *Dies dat.* in debt, detinue, and trespasse, xii.d.

And in all other actions, ii.s.

For the entring of the receipt of a feme Covert, Tenant in taile, Lessee for yeares, or the like, ii.s.

And for the entry of the Plea, if it exceed not three sheetes, ii.s.

And for every sheete exceeding, viii.d.

And if the receipt be by writ, then more for entring of the writs, ii.s.

For the entring of an Assize deliver in the Common Pleas by Justices of Assize to be inrolled for every sheete, xii.d.

And if the Assize come into the common Pleas by *Certiorar*. then more for entring the *Certiorar*. ii.s.

For entring every abridgement of the demaundant in dower Assize, or the like, ii.s.

For the entry of every *pone* to remove a Plea by writ out of the County Court there holden by Justices, and for the retourne of the *Pone*, iiii.s.

For the entring of any Record sent in the Common Pleas by *Mittimus*, or otherwise; and likewise for the entry of every *Rege inconsulto*, or such like, if it exceed not three sheetes, ii.s.

For every sheete so exceeding, viii.d.

For the entring of every Certificate of Bastardy certified by the Bishop, and the awarding of the writ and judgement thereupon, vi.s.

For the entry of the Licence of the Court, to purchase a new writ by Journies accompts, ii.s.

For the entry of every Originall writ delivered of Record in reall mixt actions, ii.s.

For the entry of every sheete above three sheetes of every challenge to the

Sheriffe or Coroners, or to the Aray or other ſpeciall averments, or the like, viii.d.

For the entry of every *Remanet* in reall actions, iiii.s.

For the entry of every *Remittitur* in reall and mixt actions, iiii.s.

For the entry of every ſheete above three ſheetes of every aide pryer, viii.d.

For the entry of an admiſſion of a Guardian, if it be by Commiſſion and *Mittimus*, vi.s.

For the entry of a privy Seale for every ſheete, viii.d.

For the entry of the Licence of the Court to compound upon penall Statutes, ii.s.

For entry of every warrant of Attorney made by the Tenant in the common Recoveries, or the like, after their appearance at the Bar, ii.s.

For every Judgement by ſpeciall Commiſſion of the title in *Quare imp.* or the like, if it exceed not three ſheets, iiii.s.

And for every ſheete after, iiii.d.

For the entring of every ſpeciall imparlance, ii.s.

For the entring of every Committitur of a Priſoner by the Roll, being brought to the Bar by writ, and every render of the body in diſcharge of the Baile, iiii.s.

But if it be without writ, then in either Caſe but, ii.s.

For

For entring of every demaund of a prisoner to appeare and remaund the said prisoner, iiii.s.

For the entry of every Essoine in the Plea Rolls, as upon wagers of Law, xii.d.

For entry of the Baile upon every Reversall for insufficiency of Exigent, or of the Retourne, 2.s.4.d.

For the entry of every Declaration in debt upon demise, or the like speciall Declaration, if the Declaration exceed not three sheetes, ii.s.

And if such Declaration exceed the number of three sheetes, then for the entry of every such sheete, containing twelve lines, and every line tenne words, viii.d.

For the entry of every severall Count in actions upon the Case and Accompt, and the like upon severall dates, if the Accompt exceed not three sheetes, ii.s.

And for every sheete so exceeding, viii.d.

For the entry of every severall Count upon an originall Debt, Detinue, Trespasse, and the like, xii.d.

For the entry of every speciall condition, or indorsement of any obligation entred *in hæc verba*, not exceeding the length of three sheetes, ii.s.

And for every sheete so exceeding, viii.d.

But if the condition be in debt for paiment of money at one day, or under

the length of two sheetes, then for the entring thereof but xii.d.

For the entry of every *Mittimus*, or *Certiorar.* and the Retourne thereof, iiii.s.

But if the Retourne thereof exceed three sheetes, then for every sheete so exceeding, viii.d.

For entring of the Count in a Prohibition, and pleadings thereupon after an appearance of the Defendant, not exceeding the length of three sheetes, viii.d.

And for every sheete above that length, viii.d.

For the entry of every writ of Attaint or false judgement, ii.s.

For the entry of the Retourne thereof and the assignement of Errors, or false Oathes, not exceeding three sheetes, ii.s.

And for every sheete more, viii.d.

For the entry of every sheete above three sheetes of the Oath of every witnesse examined to prove the surmise in a Prohibition, or *Audita querela* brought by an Infant, and the entry of the proofes *De morte & vita viri* in dower, and the like actions and suits, viii.d.

Fees due to the Prothonotaries *for* Writs, *and the* Entries *of them amongst other dues.*

FOr every Writ of Prohibition or consultation, not exceeding four sheets, ii.s.

For every Writ so exceeding, iiii.d.

For every Withernam return *habend.* after appearance, second deliverance, Writ of priviledge, *habeas corpus. procedend. certiorare*, Summons and Resummons, *Pete, cape, ve. fac. sci. fa. Elegit, extent. supers. Sub pena* Writ to the Bishop, Attachment in Ass. *Distringas Iur. habeas corpus*, and *Distringas* in Ass. *& Attaint*, and the like *habere Fac. possessionem*, Writs of view, *mittimus, Idemptitat. habeas*, and every other speciall Writ. ii.s.

For the entring of such other Writ, which requireth an entring not exceeding four sheets, ii.s.

And if more, for every sheet exceeding as abovesaid, viii.d.

For every *Ca. fa. & fi. fa.* vi.d.

For every *Testat. fur. ca. fa. & fi. fa. distringas ad deliberand.* and Writs to enquire of damages in trespasses and Replevin, xii.d.

For Writs to enquire of damages in Covenant, Ejectment, Actions upon the case, and the like, ii.s.

For every *Capias pro fine*, vi.d.

For the *Exigent*, for a *Capias pro fine*. x.d.

For the entry of the Returne of every Writ in the Prothonotaries roll other than the *Ca. fa.* returnd *non est invent.* and the *fi. fa.* returnd *nulla habet bona*, whereupon further processe is awarded not exceeding four sheets, ii.s.

And if more, then for every sheet. viii.d.

For the entring of every sheet of Priviledge or *habeas corpus*, with the Bayl for one cause, vi.s.

And for every name more, ii.s.

For entry of every *Committitur* upon a *Habeas corpus una cum die & causa*, ii.s.

And for every other cause, ii.s.

For every Reversall upon an Outlary for default of Proclamation with one name, and the Bayl or *nolle prosequi*, 4.s.4.d.

And for every name more, ii.s.

For every *ca. fa. & fi. fa.* after a *devastavit*, ii.s.

Whereof by allowance from the Prothonotaries the Clerke hath had, viii.d.

For

For every sheet exceeding four sheets of Writs to enquire of Damages in Covenant, Ejectment, Actions upon the case, and the like Actions, iiii.d.

For the Writ of Liberate, or the like speciall Writ, ii.s.

Whereof by allowance from the Prothonotary the Clerke hath had, viii.d.

For the entry of every such Writ and the entry of every other speciall Writ which requireth an entry not exceeding four sheets, ii.s.

And for every sheet so exceeding, viii.d.

For every *Distringas* in petition, xii.d.

Whereof the Clerke by allowance from the Prothonotary hath had, iiii.d.

For Writs to enquire of damages in Covenant, Ejectment, Actions upon the case, and the like Actions if they exceed not four sheets, ii.s.

Whereof by allowance from the Prothonotary the Clerke hath had, viii.d.

For the entry of every *Committitur*, upon *habeas corpus una cum die & causa* with one cause returned besides the entry of the Writ, ii.s.

And for the entry of the writ, ii.s.

And for every other cause returned, ii.s.

For the signing of all processe upon information, excepting the first *Subpena*,

The

The Prothonotaries *Clarkes fees.*

IMprimis, for the copies of common declaration and pleas for every sheet conteining twelve lines, and every line ten words, iiii.d.

For every sheet in Reall and mixt Actions, and Actions upon any Statute and the like, viii.d.

For drawing of every speciall declaration and plea, for every sheet, viii.d.

For every continuance every Terme of every issue writ, *imperlance demurrer* or speciall verdict or adjornment, iiii.d.

For exemplifying every Recovery with a single voucher, 4.s.6.d.

For exemplifying of a double voucher, vi.s.

And for every voucher more, xii.d.

For exemplifying of any Record not exceeding eight sheets, v.s.

And for every sheet more, vi.d.

For drawing of every extraordinary long writ after the rate for every sheet, viii.d.

And for the entry thereof (if it so require) for every sheet, iiii.d.

For a copy of a judgement for every sheet, viii.d.

For the entry of every writ, and the returne thereof into the Prothonotaries

Remembrance

Remembrance for drawing up of a judgement if it exceed not three sheets. vi.d.

And for every sheet after, iiii.d.

For entring of every Common Rule into the Bill of Pleas or Common Remembrance, iiii.d.

For the entring and ingrossing every Summons for a Recovery and for the making of the writ of Summons, ii.s.

For entry of every *Mittimus* and *Dedimus potestatem* for a Recovery, ii.s.6.d.

For the ingrossing of every *Nisi priùs* after the rate for every sheet, iiii.d.

For entring of every *Testat. sur. ca. fa. & si. fa.* iiii.d.

For the search of one Terme in the Prothonotaries office in his doggets or Remembrances, iiii.d.

For the issuing out of the Court money if the party receiving it, i.d.*in* l.

For the making of every long writ as Prohibitions & the like for every sheet, iiii.d.

For the prosecution and issuing out of proces for the King to bring in the party for to make fine for his contempt until the party render himselfe o bee outlawed besides the fees of the Court, 3.s.4.d.

And if there be cause of Prosecution after the *Exigent* returned then more, 3.s.4.d.

For the copies of suggestion to grant a Prohibition for every sheet, viii.d.

For drawing of every surmise to have a Prohibition speciall verdict, and the like, for every sheet. viii.d.

The

The Prothonotaries *Clerkes fees for Informations onely.*

For engrossing of every information, viii.d.

For a copy of the said Information if it amount to the number of five sheets of paper, or upwards, 3.s.4.d.

If it be under the number of five sheets, then for every sheet, viii. d.

For the making of every *Capias pro fine* upon an Information, vi.d.

For entring of the generall issue upon the Roll where the information was first entred in the Terme it was first exhibited, viii.d.

For the Registring of every licence to compound in the office book. iiii.d.

An ancient fee due to the second Prothonotaries *Clerks onely.*

For recording of every Fine acknowledged at the Bar, writ and moved by a sergeant. iiii.d.

Fees

Fees due to the Secondaries of the Prothonotaries *in their ſeverall offices.*

FOr the copy of every common Rule, iiii.d.

For taking a note of the Rule of the judges in Court upon the motion of a ſergeant for drawing the ſame Rule in paper in Latin words and entring it into the Bill of Pleas and the copy thereof the draught not exceeding ſix lines in paper, viii.d.

If the Rule exceed ſix lines then, xii.d.

For every wager in law in Court or Nonſuit of the plaintife, upon a wager of law, xii.d.

For the entry of the *Committitur* of any defendant to the *Fleet* in execution of any judgement or otherwiſe in Court and for making a copy thereof for the Warden of the *Fleet* containing the cauſe of the Commitment, xii.d.

For the entring of every Commitment to the *Fleet* of any perſon yeelding himſelfe in diſcharge of his Baile and for the like Copy, xii.d.

For attending him from his chamber to *weſtminſter* to take a privy verdict tried at the Bar, 3.s.4.d.

For

For reading the Record of a demurrer in Court or verdict, xii.d.

For taking Bail in Court, xii.d.

For entring of an admission of an infant to his prochin Amy or Guardian in the Prothonotaries remembrance, xii.d.

For the copy of the issue and jurors names to be delivered to the jury upon any triall at the Bar, xii.d.

For reading of evidences upon trials at the Bar of each party plaintiffe and defendant, 3.s.4.d.

For entring of every satisfaction by speciall warrant *Recordatur* and discontinuance, viii.d.

For every satisfaction by generall warrant, iiii.d.

For entry of every Bill or Letters of Administration to enable an Executor or Administrator to acknowledge satisfaction and the entry of the satisfaction, xii.d.

For every copy of Interrogatories, depositions of persons examined upon Interrogatories by order of the Court for every sheet. viii.d.

Per breve de Privato sigillo,
Wolseley.

A Table

A Table of the Fees due unto the Six-Clarkes of the Kings Court of Chancery.

FOr all first, second, or other Copies of all Bils, Answers, and other pleadings whatsoever, as also of all Certificates, and Examinations made or taken by vertue of any Commission out of this Court, and of the interrogatories therewith retourned, and also of all Declarations, or proceedings by English Bill, or according to the course of the common Law, and for copies of Records, Rolls, or Evidences brought in to be copied, or remaining in the said Court, for every leafe of paper containing fifteen lines, viii.d.

For the inrolling of all Warrants, whereby any Patents, Commissions, Licenses, Pardons, Leases, or other Graunts whatsoever doe passe by, and under the great Seale, after the rate for every skin so passing the great Seale, xx.s.

For

For the inrolling of all warrants for all Commiſſions of peace for Gaole delivery, for a liberty for Oyer and Terminer, for Piracies for the preſervation of the game of Swans, and for Commiſſions of enquiry ſued out for the benefit of any private perſon, for every of the ſaid Commiſſions. xx.d.

For the inrolling of all Warrants for all Commiſſions of appeale, and for the Admiralty, for every one of them, 3.s.4.d.

For the inrolling of every warrant, for every ordinary Licence, or pardon of alienation, 3.s.4.d.

But if it bee of more then ordinary length, then according to the length, after the rate of xx. s. the skin, and not above.

For the inrolling of all Warrants for all Commiſſions in the nature of Writs of *Diem clauſit extremum mandamus devenerunt, quæ plura ideotæ proband. lunatico inquirend. melius inquirend.* for every of them, 3.s.4.d.

For the inrolling of the warrants for every Patent or graunt of the cuſtody of any Ward, 6.s.8.d.

For the inrolling of the warrants for every preſentation, donation, or revocation to any Rectory, Vicaridge, Deanery, Archdeanery, Chancellor-

ſhip,

ſhip, Treaſurerſhip or dignity to any Metropoliticall, Cathedrall, or Collegiat Church, or for any Canonſhip, or Prebend in any of the ſaid Churches, or for the Maſterſhip of any Hoſpitall, or other Eccleſiaſticall living, or for the grant of any preſentation, or preſentations *pro unica vel pluribus vicibus* thereunto, 3.s.4.d.

For the inrolling of the warrants for every *Mandamus ad installand.* 3.s.4.d.

For the inrolling of all warrants for all Licenſes for Wines for every life, 3.s.4.d.

Or ſuch Fee not exceeding that proportion, as by the Lord Chancellour, or Lord Keeper ſhall be ſet downe, and by an order lately made by the right Honourable the Lord Keeper that now is, there is but vi.s. viii. d. paid, although it be granted for their lives, or more.

For the inrolling of the warrants for every pardon of Outlawrie, 3.s.4.d.

For the inrolling of the warrants for every denization, or commiſſion of Bankrupts, 3.s.4.d.

For the writing of every Exemplification, aſwell of Records in the Tower as of any Record whatſoever, being in their cuſtody after the rate of every skin, 26.s.8.d

Of every Client for every Terme hileſt his cauſe dependeth, undetermined by decree, or diſmiſſion, the termely fee of 3.s.4.d.

If there be twenty Plaintifes or more in one Bill, they all pay but one Fee for one Terme, 3.s.4.d.

But for every three Defendants accounting the husband and the wife, but for one perſon there is the Fee of iii. s. iiii.d. due for their firſt appearance.

And upon the firſt appearance, if every Defendant appeare ſeverally by himſelfe, he is to pay the fee of iii.s. iiii.d. but every Terme afterwards during the continuance of the cauſe, there is only the Fee of iii. s. iiii. d. the terme to be paid for all the Defendants that appeared in any Terme or Vacation before in the ſame cauſe.

For every Attachment, and attachment with Proclamation, which is made in their offices, aſwell renewed as other, unleſſe the renovation grow by occaſion of the default of the Clarke, ii.s.

For every commiſſion of rebellion renewed, or otherwiſe, unleſſe the renovation be by the like default of the Clarke, viii.s.

For the inrollment thereof, ii.s.

And for the inrollment of every commiſſion of Rebellion iſſuing out of the Court of Starchamber, ii.s.

For

For the inrollment of every liberate and allocate, 3.s.4.d.

For every Commiſſion aſwell renewed, as other, to take an anſwer to heare and determine, or to examine witneſſes either beyond the Seas, or in any place or part whatſoever of England, Scotland, or Wales, unleſſe the renovation be occaſioned by ſome defect in the former Commiſſion, occaſioned by the default of the Clarke, and not of the Client, the ſumme of 6.s.8.d.

And if the Commiſſion to examine witneſſes bee joynt, then to each attorney, 6.s.8.d.

And if it be *ex parte*, then but one, 6.s.8.d.

For every Commiſſion upon any order of the Court, aſwell renewed as other, unleſſe the renovation be by the like defa ult of the Clarke, x.s.

For every writ of Execution upon any Order, 6.s.8.d.

For ingroſſing every Bill in Chancery hand, wherein anſwer is to bee made by Commiſſion, for every leafe, vi.d.

For drawing and inrolling of every decree and diſmiſſion reſpectively, xxxiii.s & iiii.d.

And neither they, nor their Clarkes to take any further Fees.

For every writ of Execution upon a Decree, after the rate for every skin, xxvi.s. & viii.d

For the writing of every Sheriffes patent, and for the writ of aſſiſtance,

writ of Discharge, commission to take the Sheriffes oathes, the Attournies Fee, as also for the warrant of Attournie, and the writing of the two oathes, 30.s.8.d

And for the ten divided Counties mentioned in the acts of Parliament made in 8. & 13. *Eliz.* to cleare all future mistakings or doubts, they shall for the time to come take but halfe so much as for other Counties whatsoever hath been used heretofore, and neither they, nor their under-Clarkes are to take by any colour any other Fee for Sheriffes Patents then aforesaid.

The like Fees for every English Escheator, saving for the warrant of Attorney, 30.s.4.d

For the drawing and ingrossing of every Injunction, the Fee, 13.s.4.d

But the inrolling of Injunctions is of little use, and needlesse, except only in speciall Cases, when the Court shall appoint them to bee inrolled, and then it is to be done without any new Fee.

For every *Supersid.* for the discharge of any commission, or other writ made in

in any of the ſix Clarkes offices, 6.s.8.d.

For every *Superſid.* of priviledge, *pro venientibus vel redeuntibus ad vel a Cancellar.* 6.s.8.d

For every ſpeciall *Certiorar.* or *procedendo corpus cum cauſa*, or *habeas corpus*, 6.s.8.d.

For every baile upon every writ of *corpus cum cauſa*, or matter of priviledge, ii.s.

For all manner of *Certiorar.* and *procedendi* of courſe, ii.s.

For every Recogniſance or Bond made to the Court, ii.s.

The ſix Clarkes are to preſent their Clients cauſes which are to bee heard either in Court, or at the Rolls, but neither they nor their under Clarkes, nor any other are to take any fee or reward at all therefore, but to reſt content with their Fees allowed in this table of Fees.

Ordinances *made by* Thomas *Lord Coventry, Lord Keeper of the great Seale of England, with the advise and assistance of the right honourable Sir* Iulius Cæsar, *Knight, Master of the Rolls, in the Terme of S.* Michael *the Archangel, in the eleventh year of the raigne of our Soveraigne Lord King* Charles, *for the redresse of sundry Errors, Defaults and Abuses in the high Court of Chancery,* 17. Novemb. 1635.

1. THat Bills, Answers, Replications, and Rejoynders bee not stuffed with repetition of Deeds, or writings *in hæc verba*, but the effect and substance of so much of them only as is pertinent and materiall to be set downe, and that in effectuall and briefe termes, that long and needlesse

lesse traverses of points not traversable, nor materiall, causelesse recitals, tautologies, and multiplication of words, and all other impertinencies occasioning needlesse prolixity be avoided, and the ancient brevity and succinctnesse in Bils, and other pleadings restored, and upon any default herein the party and counsell under whose hand it passeth, shall pay the charge of the copie, and be further punished as the case shall merit.

2. When the Defendants have answered the Plaintiffes, and their counsell are seriously to advise of the answers, and if they finde that upon the answer alone, without further proofe, there be sufficient ground for an order or decree to proceed upon the answer without further lengthening the cause, or if it be needfull to prove one or a few particular points to reply unto those points, and not to draw into pleading, or proofes any more than those necessary points, thereby making long bookes, and putting both sides to unnecessary charges, the defaulters herein to be punished by paying the charge of the copies, or otherwise, as the cause shall require.

3. That interrogatories for examining witnesses be drawne only upon points materiall, and not upon matters

which are either confessed in the pleadings, or are impertinent and needlesse to be proved; That the articles which are usually thrust into the beginning of every Schedule of interrogatories, as it were of forme or course, touching the witnesses knowledge of parties, plaintiffes or defendants of the lands, towns, & places in the pleadings, and the like, be not so needlesly used as they are, but if for crosse examining any witnesse, or for other speciall reason, it shall be necessary to minister any such question, every man is left at liberty to doe therein as much as shall be pertinent and needfull in a due and fitting place, and if any shall offend against this, the party and such as drew the interrogatories shal be punished by paying as much as the other side is by that meanes over-charged in copies, and further as the case shall merit.

4. When the parties are at issue, and doe proceed to examination of witnesses either in Court, or by Commission, as the interrogatories are to be pertinent and materiall, so the witnesses are to be sorted by those that produce them, that they may be examined upon such interrogatories as are proper and fit for them, and not to examine a multitude of witnesses upon a multitude of questions altogether unknown to them,

as

as it is too frequently done upon paine that where any grosse abuse or default herein shall bee made appeare to the Court, the defaulter shall pay as much as the other side is by that meanes overcharged in copies, and shall be further punished if the Court see cause.

5. When a Commission is awarded to examine witnesses, if by the default of him that hath the carriage of the Commission or his Commissioners nothing is done, he shall beare all the charge that the other side was put unto about that Commission, either for Fees of Court, bringing, or entertaining Commissioners or witnesses, or otherwise to be ascertained by the oath of the party, or of him that disbursed the money for him, and shall renew the Commission at his own charges.

6. When a Commission is awarded to examine witnesses, and the one side produceth and examineth all his witnesses, and the other side doth not, but pray a new Commission, if it be granted, he shall beare as the charge of the renewed Commission both in Court and in the Countrey, as well for the charge and entertainment of his owne Commission, as of the Commissioners of the other side, and the other side shal be permitted to crosse examine the witnesses produced by him that reneweth the

the Commiſſion, but if he will examine any other witneſſes of his owne, then he ſhall beare his owne part of the charge, the charges herein mentioned to be aſcertained by the oath of the party, or of him that disburſed the money for him.

7. He at whoſe inſtance a Commiſſion to examine witneſſes after a former Commiſſion executed and returned is once renewed, and he by whoſe default, or by default of his Commiſſioners a former Commiſſion was not executed, and thereupon it is renewed, ſhall at his perill examine all his witneſſes by that renewed Commiſſion, or examine them in Court by the end of the Terme wherein that renewed Commiſſion is retournable, without any more, or further delay.

8. When witneſſes are examined in Court upon a Schedule of interrogatories, there ſhall be no new interrogatorie put in to examine the ſame witneſſes, but the witneſſes ſhall be examined only upon ſuch interrogatories as were exhibited before the witneſſes to be examined were ſworne, neither ſhall any witneſſes be examined in Court after the day of publication, though they were ſworne before, ſo as a copie of the rule of publication be delivered to the examiner, whereby he may take knowledge of the publication.

9. When

9. When witneſſes are examined in Court, they ſhall perfect and ſubſcribe their depoſitions unto ſuch interrogatories as they have anſwered before they depart from the Examiner, or his deputy, and ſhall not be permitted to make any alterations thereof at any time after, without leave of the Court, unleſſe it be in ſome circumſtance of time, or the like, or for making perfect of a ſumme upon view of any deed, booke, or writing which the witneſſes ſhall ſhew to the Examiner, before hee admit of ſuch alteration.

10. The ſix Clarkes who are the only Attournies in this Court, ought to informe themſelves continually of the ſtate and proceedings of their Clients Cauſes, whereby they may be able to defend their Clients, and to give account to the Court as the Attournies in all other Courts doe, and not to leave the care and knowledge thereof upon their under Clarkes who attend not in Court, and the Clients and ſuch as follow their Cauſes are to acquaint their Attournies for that purpoſe.

11. Such as deſire to have their Cauſes ſet downe for hearing, muſt repaire to the ſix Clark that is Attourney in the Cauſe, at leaſt ſix daies before the end of the Term, that the ſix Clark may inform himſelfe of the ſtate of the

cauſe

cauſe of the long or ſhort dependance thereof in Court of the antiquity of publication of the weight or value of the cauſes, and all other circumſtances materiall, to informe the Lord Keeper, or the Maſter of the Rolls at the time of ſetting downe of cauſes, and the ſix Clark may not refuſe to offer the ſame to be ſet downe, if he be attended in ſuch due time as aforeſaid, nor come unprepared to inform the Lord Keeper or Maſter of the Rolls of the nature & circumſtance of the cauſe aforeſaid, and neither he, nor any of his under-Clarkes, nor any other are to take any Fee, Gratuity, or Reward for the ſame.

12. The Regiſters in drawing up Orders ſhall uſe all convenient brevity according to the manner of ancient times, they ſhall mention the materiall Reports, Affidavits, and former Orders upon which any new Order is grounded to have been read, but ſhall not repeat the ſame, they ſhall not unleſſe it be by ſpeciall direction of the Court, fill any Order with the diſputes of Councell, nor with reaſons and allegations *pro & con*, nor mention any reaſons but ſuch on which the Court relyed in making the Order, and thoſe with brevity and clearneſſe, and if they deliver a draught or copie of any Order

der to be perused by Councell, if it be not brought back within 24. houres, they shall enter the Order without attending any longer for an answer from Councell, only they shall forbeare the entries of Decrees and dismissions, untill they be signed, that the Lo: Keeper and the Master of the Rolls may reforme them, if there be cause at the signing.

13. Whereas the excessive and unnecessary length and charge of writs *de executione decreti* have been complained of, from henceforth unlesse the party that sueth out such Writ shall desire that the whole Decree as it is signed and inrolled be therein recited, the writ, if it be only for paiment of money shall make no other recitall but to this or the like effect, *Cum per quoddam Decretum in cur. Cancellar. nostr. die Anno Regni nostri ordinat. & adjudicatum existit quod tu solveres A. B. centum lib. legal. monetæ Angl. tibi præcipimus & firmiter injungend. mandamus quod præd. centum lib. præfat. A. B. debit. modo solvas et hoc nullatenus omittas periculo incumbente.* And if the money by the Decree be payable at certaine daies, or places, then the same daies and places to be expressed in the Writ without any further recitall, and if the Decrees bee

for

for doing other things to be performed by the party or parties to whom the ſaid Writ is directed, then no more ſhall be recited in the Writ but the very decretall order, unleſſe the decretall order doe in ſuch manner refer to a Report, or Certificate, as without recitall of thoſe points of the Report, or Certificate which are to be performed by the parties to whom the ſaid Writ is directed, it will not appeare what is to bee by them performed, and in that caſe ſo much of the Report, or Certificate as is to be performed by the ſaid parties ſhall be recited, and the order confirming the ſame, and no more unleſſe it be deſired by the party ſuing out the ſaid Writ, and the Fee thereof to bee paid, ſhall be after the rate preſcribed in the table of Fees, and no more.

14. Every demurrer ſhall containe the cauſes of the demurrer, and the Counſell who ſet their hands to it, are to beware that thoſe cauſes be not triviall, and where a demurrer or plea is grounded upon the ſubſtance and the body of the matter, it ſhall be determined in open Court without reference, and the Regiſter at the inſtance of the party demurring, ſhall without any Fee put into the paper of cauſes after the hearing and aſſigning a ſpeedy day to every one in order, as hee commeth

commeth to require it, and if the Defendant who demurred make no ſuch inſtance to the Regiſter within eight daies after the plea and demurrer is put in Court, the ſame without any motion ſhall be diſallowed of courſe as put in for delay, and the Defendant ſhall pay ordinary coſts, provided that the Regiſter doe not without ſpeciall warrant put above two of thoſe demurrers into the paper upon one day.

15. If the demurrer be grounded only upon ſome error, ſlip, or miſtaking in the Bill, no Reference ſhall be made thereof for a week after it comes in, but the Plaintife without any motion ſhall be admitted of courſe to amend the ſaid error, ſlip, or miſtaking, paying to the Defendant, or his Attourney for his uſe coſts as the ſixe Clarkes not towards the cauſe ſhall thinke fit, but if the Plaintife in that time doe not amend or alter it, then if the Defendant doe nothing therein within a week following, by getting it ruled or referred, it ſhall be diſallowed of courſe without any motion as put in for delay, and the Defendant ſhall pay ordinary coſts: but if the Plaintife not amending the ſame as aforeſaid, it bee ruled againſt him upon Reference, or otherwiſe, he ſhall pay the ordinarie coſts.

16. When

16. When a Plaintife excepteth to a Defendants answer, he shall set down his exceptions in writing, and deliver it to the Councell whose hand is to the answer, or to the Defendants Attorney in Court, and if the Defendants doe within a weeke satisfie the Plaintife of the invalidity of his exceptions, or amend the answer in the same time, or agree with the Plaintife, or his Attourney, or Sollicitor to amend it by such a time as shall be agreed on betweene them, and doe amend it accordingly without putting the Plaintife to obtain a Reference, or make any motion therabouts, then the Defendant shall pay no costs, and if any Plaintife shall presse and procure a Reference within this time, or before this course taken, the Reference shall be void, as obtained surreptitiously; But if the Defendant doe neither satisfie the Plaintife, nor amend his answer in manner aforesaid, then if upon Reference or otherwise his answer be ruled insufficient, he shall pay costs according to the course of the Court.

17. The Masters of the Court shall prefixe convenient, but not overlong daies for hearing such matters as are referred to them, and at the times prefixed shall proceed without admitting any fained or dilatorie excuses, especi-

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ally that Councell are otherwise imployed, or cannot attend, or are not instructed (there having been notice and time enough allowed, or the like, and after the daies shall speedily send in their Reports for the case of the Clients attendance, which cannot but draw great charge.

18. If the Case be such as the Master cannot proceed in the absence of either party, or his Counsell without just cause absenting, the Master is presently to certifie the Court of the default, that the defaulters may be punished by Commitment, Costs, or otherwise, as the cause shall merit, and if the Master doe use or willingly admit any grosse delay, the Reference is to be removed, and the Master rebuked by the Court.

19. The Masters of the Court are not upon the importunity of Councell, or Clients to make speciall Certificates of matters wherein the Court expects an opinion from them, nor are to doe it, but where their owne judgements in respect of difficulty leadeth them to it, it occasioning for the most part a needlesse trouble to the Court, and both delay and expence to the party.

20. No Reference shall be to a Master whether an injunction shall bee granted or not, but the same to passe

upon the opinion and judgement of the Court, but if the Court thinke the matter informed ſufficient for an injunction, but is doubtfull of the truth any point of the information: The Court when it cannot otherwiſe be fitly done, may be certified thereof by a Maſter who is then to certifie not only whether the information be in ſubſtance true, but if there appeare other matter to confeſſe and avoid, or otherwiſe ballance that information he muſt not conceale it, but give the Court a cleare and true information.

21. No References are to be made either to Maſters, or others (unleſſe it be by aſſent on both ſides) to heare and determine the cauſe upon all the proofes or otherwiſe; but when the Court hath heard it, and reduced it to particular points, ſpecially if theſe points have relation to Accompts, or matter of that nature, the Court may fitly leave ſuch to be reduced to certainty by a Maſter.

22. The Regiſter ſhall within tenne daies after the end of every Term certifie to the Lord Keeper what References depend in the hand of any Maſter, and how long they have depended, that if any of them have depended overlong, the Court may require an account thereof from the Maſter, and quicken

quicken him to a ſpeedy diſpatch.

23. When a Maſter certifieth the ſufficiency or inſufficiency of an Anſwer, Plea, or Demurrer, if either party reſt not in the Report, but trouble the Court to determine it, if the Maſters Report be confirmed, he that oppoſeth it ſhall not pay double coſts.

24. Where the Maſters of the Court doe ſometime by way of inducement fill a leaſe or two of the beginning of their Reports, and ſometimes more with a long and particular recitall of the ſeverall points of the orders of Reference, they ſhall forbeare ſuch iterations, the ſame appearing ſufficiently in the orders, and without any other repetition then thus, According to an order, or by direction of an order of ſuch a date, ſhall fall directly into the matter of their Report, ſetting downe the ſame clearely, but as brieſly as they can, for the eaſe both of the Court, and the parties.

25. That Counſellors be carefull what motions they make, and eſpecially that they move not for any thing which may be had of courſe without motion, nor for ſuch thing as cannot be granted, as being a conſtant rule of the Court or common Juſtice, nor yet for ſuch things, as being granted, ſerve for little or no purpoſe, And before

they move the Court, they be ſure to be well informed and inſtructed, leſt if the orders obtained by them upon miſ-information to be after avoided, their Clients or themſelves bee deſervedly puniſhed with coſts, or otherwiſe.

26. When orders be made, eſpecially if it be upon hearing of Councell on both ſides, or after day to ſhew cauſe given, and none ſhewed there being a timely notice, both ſides are to reſt in it without troubling the Court with new motions to croſſe it, unleſſe the Counſellour that moves it, be ſure that the matter he hath to croſſe it be weighty and important, and will be well proved upon the motion, ſuch as ſhall doe the contrary are to be puniſhed with good coſts, and otherwiſe, as the Court ſhall finde cauſe.

27. That no Counſellour put his hand to a Bill, Anſwer, or other pleading, unleſſe it be drawne by himſelfe, or at leaſt peruſed by himſelfe in the paper draught before it be ingroſſed; and that the Counſellour that puts his hand to any ſuch, ſhall be anſwerable for all things therein, either againſt theſe orders or any other the orders or rules of the Court, except only ſuch things as are not to be miſliked but for untruth, for which the Client if he informed it, or ſuch as cauſed it to be put

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in without his warrant or information, ſhall be anſwerable.

28. If any Counſellours ſhall preſume to move for one in *forma pauperis* that is not ſo admitted, and ſhall under that pretence move a ſecond motion, the Regiſter ſhall enter neither of his orders, but ſhall within foure daies acquaint the Lord Keeper, or Maſter of the Rolls with the abuſe, that he that did it may be condignely puniſhed.

29. Counſellours before they take on them to informe by motion, or otherwiſe that any thing is contained in the Bill, Anſwers, Pleadings, Proofes publiſhed, or in any Deeds or Records, ought to be carefull in peruſing the ſame themſelves, and not to reſt upon the information of the Client, or his Sollicitor, who cannot ſo well judge of them, and whoſe part it is to produce thoſe things unto the Counſellours, but it is the Counſellours part to direct how far forth the ſame are to be preſſed or urged to the Count, and they are to ſuſtaine the blame or puniſhment, if either wittingly or negligently, for want of reading or peruſing, they abuſe the Court therein.

30. For avoiding a multitude of idle petitions drawne by perſons altogether ignorant of the orders and courſe of the Court, or the true ſtate of the petitio-

ners buſineſſe that petitions before they be preſented to the Lord Keeper, or the Maſter of the Rolls be ſhewed to that ſix Clarke, who is the petitioners Attourney in Court, or to his, and by him approved and ſubſcribed, for which no Fee ſhall be taken, and this is not to be underſtood of petitions adviſed and ſigned by Councell, nor petitions containing any matter of complaint againſt the Attourney or his under-Clarke.

31. All the Clarkes of this Court, in copying, ingroſſing, inrolling, or other writing, ſhall doe the ſame fairely, orderly, and Clark-like, not doing it waſtfully, nor in leſſe Skins or Rolls of parchment, or leaves of Paper then ought to be, thereby increaſing their owne and their Maſters profit, or the Subjects charge, and if the Maſter of the Office upon complaint to him, doe not doe right therein, the Lord Keeper, or the Maſter of the Rolls ſhall puniſh both the Maſter and the Clarke, and yeeld recompence to the complainant upon complaint made to either of them, within two Termes after the offence done.

Tho: Coventry C. S.
Novemb. 17. 1635.

Iul: Cæſar.